

**P.U.C.O. No. 12
(Cancels P.U.C.O. No. 11)**

Waterville Gas & Oil Company

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THE STATE OF OHIO**

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Filed pursuant to PUCO Entry dated November 20, 2007 in Case No. 07-0194-GA-AIR

ISSUED: November 21, 2007

EFFECTIVE: November 21, 2007

**Issued By
Robert S. Black
President, Waterville Gas & Oil Company**

P.U.C.O. No. 12
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Filed pursuant to PUCO Entry dated November 20, 2007 in Case No. 07-0194-GA-AIR

ISSUED: November 21, 2007

EFFECTIVE: November 21, 2007

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Original Sheet No. 1

**RULES AND REGULATIONS GOVERNING THE DISTRIBUTION AND SALE OF NATURAL GAS IN
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SECTION 1 – SERVICE

1. **Availability.** Available in the Company's service territory outside the Village of Waterville where the Company's distribution facilities are located, to customers who contract for natural gas service under the terms and conditions stated herein, and subject to the Rules and Regulations filed by the Company from time to time with the Public Utilities Commission of Ohio.
2. **Application for Service.** All applications for service shall be made through the local office of the Company or its authorized agents upon forms approved by the Company.
3. **Turning on Gas.** The customer, after making proper application for service, shall notify the Company when the customer desires that service be established. In no case shall the customer or customer's agent or employee turn on gas at the curb valve or meter valve.
4. **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 and not paid for by any customer whose occupancy preceded that of such person and shall be liable for all gas consumed by such person. 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.
5. **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 obligation to serve and may discontinue or modify service if such failure or interruption is due to acts of God or the public enemy, military action, wars, insurrections, riots, civil disturbances, vandalism, strikes, fires, floods, washouts, explosions, acts or orders of any civil, judicial, or military authorities and, without limitation by the foregoing, accidents, contingencies, or other causes beyond the control of the Company.

Without incurring any liability therefor, the Company may also suspend service after reasonable notice, for such periods as may be reasonably necessary to make repairs to or changes in its distribution system and related facilities and equipment.

6. **Character of Service.** The Company's supply of natural gas is received from natural gas interstate pipelines. Thus, the heating value and specific gravity of gases received may vary between delivery points and from day-to-day, but at all times will meet the minimum heating value as required in section 4933.06 of

Filed pursuant to PUCO Entry dated November 20, 2007 In Case No. 07-0194-GA-AIR

ISSUED: November 21, 2007

EFFECTIVE: November 21, 2007

Issued By
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P.U.C.O. No. 12
(Cancels P.U.C.O. No. 11)

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Revised Sheet No. 2
Replaces Original Sheet No. 2

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the Ohio Revised Code. These variations are beyond the control of the Company, which can only dispatch the gases received.

7. **Service Shall Not 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.
8. **No Customer Shall Sell to Another.** The Customer shall not supply or sell gas for use in any location other than that specified in the application or for the use of any other person.
9. **Access to Premises.** The Company and its authorized employees shall have free access at all reasonable times to all of the premises in which gas supplied by the Company is used or is to be used. Customer has the right to request, and the Company's authorized employee must provide upon such request, appropriate identification.
10. **Customer's Responsibility.** Customer assumes all responsibility for property owned by the customer on customer's side of the point of delivery, which is generally the outlet side of the curb stop/curb cock. If there is no curb stop/curb cock, the point of delivery shall be the property or lot line. In addition, Customer is responsible for the installation and use of appliances used in connection with the property owned by customer therewith, and will save the Company harmless from and against all claims for injury or damage to persons or property occasioned by or in any way resulting from the customer's use of such appliances or customer property within the customer's control thereof on customer's side of the point of delivery.
11. **Right of Way.** Customer, without reimbursement, will make or procure conveyance to Company of right-of-way satisfactory to it across the 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.
12. **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 all other necessary expense incurred by the Company in supplying gas service to the customer at customer's request for any temporary purpose or use.
13. **Customer Indebted to Company.** Subject to the requirements of Chapters 4901:1-13, 4901:1-17 and 4901:1-18 of the Ohio Administrative Code, and any subsequent amendments thereto, 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 previously supplied at the same or other premises, until payment of such indebtedness or other arrangement satisfactory to the Company shall have been made.

Filed pursuant to PUCO Finding and Order dated January 20, 2015 In Case No. 15-1551-GA-ATA

ISSUED: January 22, 2015

EFFECTIVE: January 22, 2015

Issued By
Robert S. Black
President, Waterville Gas & Oil Company

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14. **Creditworthiness, Deposits and Denial of Service.** The Company's rules, regulations and practices pertaining to creditworthiness, deposits and the bases for denial of service for residential customers shall be as set forth in Chapter 4901:1-17 of the Ohio Administrative Code, as amended from time to time. For small commercial customers who are not mercantile customers as defined in Ohio Revised Code Section 4929.01(L), the Company's rules, regulations and practices pertaining to creditworthiness, deposits and the bases for denial of service shall be as set forth in Rule 4901:1-13-08 of the Ohio Administrative Code as amended from time to time.
15. **Company's Right to Refuse or to Disconnect Service.** The Company's rules, regulations and practices governing disconnection of service to residential customers shall be as set forth in Chapter 4901:1-18 of the Ohio Administrative Code as amended from time to time. The Company's rules, regulations and practices governing the disconnection of service to small commercial customers who are not mercantile customers as defined in Ohio Revised Code Section 4929.01(L) shall be as set forth in Rule 4901:1-13-08 of the Ohio Administrative Code.

In addition to all other legal remedies, The Company may terminate the service agreement and discontinue service to a customer for any of the following reasons:

- (a) Upon the request of the customer for temporary disconnection of service for maintenance or other reasons. Customers should contact the Company as far in advance as possible but at least three (3) business days in advance of the time of requested disconnection.
- (b) When the customer has moved from the premises, neglected to request disconnection of service and an investigation by the Company indicates that service is no longer required.
- (c) When continued service would jeopardize the life or property of the customer, the Company, or the public, service may be disconnected without prior notice to the customer.
- (d) When supplying natural gas to any consumer or customer creates a dangerous condition on the consumer's or customer's premises or when, because of conditions existing or created beyond the consumer's or customer's premises, termination of the supply of natural gas is reasonably necessary. Service will not be restored until such dangerous condition(s) have been corrected.
- (e) When providing service is in conflict or incompatible with any laws, regulations or orders of the Public Utilities Commission of Ohio, the State of Ohio or any political

Filed pursuant to PUCO Entry dated November 20, 2007 in Case No. 07-0194-GA-AIR

ISSUED: November 21, 2007

EFFECTIVE: November 21, 2007

Issued By
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subdivision thereof, or of the Federal Government or any of its agencies.

- (f) When a customer or applicant refuses to provide reasonable access to the premises or ignores repeated requests for access as set forth in Section 1, Paragraph 9, Access to Premises, consistent with the provisions of Ohio Administrative Code Rule 4901:1-18-02(G)(1) and (2).
- (g) When in the sole opinion of the Company, the customer uses gas in a manner that interferes with gas service provided to other customers.
- (h) For a violation of or refusal to comply with these Rules and Regulations Governing the Distribution and Sale of Gas as filed with the Public Utilities Commission of Ohio and/or special agreements or contracts between the customer and the Company.
- (i) For non-payment of bills when due, for commercial customers who are mercantile customers and for industrial customers
- (j) For non-payment when due, for residential and small commercial customers who are not mercantile customers, pursuant to the provisions of Chapter 4901:1-18, and Rule 4901:1-13-08(C), Ohio Administrative Code.
- (k) In the event the consumer or customer resorts to theft or any fraudulent representation or practice in obtaining the natural gas supplied, or is the beneficiary of any such fraudulent representation or practice, or in the event that the Company's meter, metering equipment or other property used to supply natural gas has been damaged or tampered with by the consumer or customer, or his/her agents or servants, consistent with the provisions of Rule 4901:1-13, Ohio Administrative Code.

Failure of the Company to exercise any of its rights for the above reasons does not affect its right to resort thereafter to any remedies for the same or any future default or breach by the customer. Refusal of or disconnection of service is not an exclusive remedy. The Company may exercise any other remedy provided by law, including civil suit and/or criminal prosecution.

- 16. **Disconnection of Master-Metered Account for Non-Payment.** Disconnection of Service at a master-metered location shall be subject to the applicable provisions of Rule 4901:1-18-07, Ohio Administrative Code.
- 17. **Change of Address of Customer.** Customer shall give prior oral notice, followed within three (3) business days thereof by written notice, of customer's intent to change customer's address to Company prior to the

Filed pursuant to PUCO Entry dated November 20, 2007 in Case No. 07-0194-GA-AIR

ISSUED: November 21, 2007

EFFECTIVE: November 21, 2007

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date of the change. Customer is responsible for all natural gas service provided to the vacated premises until such notice has been received and Company has had reasonable time but not less than three (3) business days to discontinue service.

18. **Change in Tenancy or Ownership.** At such time as the Company is notified of a change in tenancy or ownership, whether such notice is given by the customer or otherwise, the company shall read the meter if the meter has not been read within the immediately preceding seventy (70) days and access is provided. If the meter has been read within the immediately preceding seventy (70) days, the Company will inform the former customer or new customer of the right to have an actual meter read at no charge. The Company will prepare a final bill. The former customer is responsible for all service supplied to the premises until the company is notified and the company has had a reasonable time to prepare a final bill. Reasonable time is defined as being not less than three (3) business days after notification has been received by Company.

If a new applicant for service or former customer does not request a meter read as provided here, transfer of uninterrupted service to the new applicant for service will be permitted, provided that the new applicant properly applies for service and meets all of the Company's requirements for initiation of service. Commencement of service to a new tenant or owner shall not be delayed or denied by Company who has properly applied for service and meets the Company's requirements for said service because of non-payment of a final bill by the former tenant or owner.

Filed pursuant to PUCO Entry dated November 20, 2007 in Case No. 07-0194-GA-AIR

ISSUED: November 21, 2007

EFFECTIVE: November 21, 2007

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SECTION 2 – METERING AND BILLING

19. **Quantity of Gas Delivered by Meter.** Gas will be measured by a meter installed by 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.
- (a) **Unit of Measurement.** The unit of measurement shall be that quantity of gas which will occupy one cubic foot of volume at a pressure of fourteen and seventy-three hundredths (14.73) pounds per square inch absolute (thirty [30] inches of mercury) at a base temperature of sixty (60) degrees Fahrenheit, and without adjustment for water vapor content. To determine the volume of gas delivered, factors such as those required for pressure, temperature, and specific gravity and deviation from Boyle's Law shall be applied.
 - (b) **Unmetered Service.** Without prejudice to the Company providing metered service, the Company may provide unmetered gas service where warranted to gas lights and gas burning equipment located outside the building(s) where metered service is provided, using for billing purposes the approximate average consumption of such equipment at the Company's applicable rate.
 - (c) **Meter Reading; Estimated Bill.** Meters ordinarily are read at monthly intervals but may be read more or less often at the Company's option. As required by Ohio Administrative Code 4901:1-13-04(G), the Company shall obtain an actual meter reading at least once every twelve months and at a minimum the Company shall make reasonable attempts to obtain actual readings of its customers' meters every other month except where the customer and the company have agreed to other arrangements. When the meter is not read, the Company may estimate the quantity of gas consumed and render a bill for such quantity.
 - (d) **Accurate 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 by the Company at its expense.
 - (e) **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

Filed pursuant to PUCO Entry dated November 20, 2007 in Case No. 07-0194-GA-AIR

ISSUED: November 21, 2007

EFFECTIVE: November 21, 2007

Issued By
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P.U.C.O. No. 12
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Original Sheet No. 7

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customer or consumer. If as a result of such adjustment overpayments or underpayments are shown to have occurred, the Company shall reimburse the customer in the amount of such overpayment as required in Rule 4901:1-13-04(D)(5), Ohio Administrative Code. Subject to the requirements of Ohio Revised Code Section 4933.28 and Rule 4901:1-13-04(G)(3) 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.

- (f) **Meter Test.** The Company shall test the meter with a tested and sealed meter prover, at the request of the customer, and, if the customer desires, the customer or the customer's representative may be present. The test will be conducted within thirty (30) days of the request. A written explanation of the test results will be provided within ten (10) business days after the test. If the meter is found to be registering accurately as defined in subparagraph (d), the customer shall pay the expense of removing the meter for the purpose of being tested. If the meter is found not to be registering accurately, then the Company will not charge for its testing expenses and will provide a properly functioning meter at no charge.

20. **Billing Periods.** Bills ordinarily are rendered regularly at monthly intervals. Company reserves the right to render bills more or less frequently at its option. The bill rendered shall be the result of applying to customer's consumption of natural gas the applicable rates and charges contained in this tariff. Non-receipt of bills by customer does not release or diminish the obligation of customer with respect to payment thereof.

21. **Payment of Bills.** The Company's bill format and billing procedure shall comply with the applicable provisions of Rule 4901:1-13-11, Ohio Administrative Code. Each customer's bill is due and payable within fourteen (14) days of the postmarked date on the bill. Any remittance received by mail at any office of the Company bearing U.S. Post Office cancellation date corresponding with or previous to the last date of the net payment period will be accepted by the Company as within the net payment period.

22. **Removal of Property by Company and Change in Financial Status of Customer.** When the customer vacates the premises, or becomes bankrupt, when a receiver, trustee, guardian, or conservator is appointed for the assets of the customer, or when the customer makes an assignment for the benefit of creditors, the Company shall have the following rights: at the option of the Company and after reasonable notice, the right to shut off the gas and to remove its property from the customer's premises; and the further right, independent of or concurrent with the right to shut off, to demand immediate payment for all gas delivered to the customer and not paid for, and such amount shall become due and payable immediately upon such demand. For residential customers, such rights shall be subject to the requirements of Chapter 4901:1-18,

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ISSUED: November 21, 2007

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Ohio Administrative Code. For small commercial customers who are not mercantile customers, such rights shall be subject to Rule 4901:1-13-08, Ohio Administrative Code.

23. Payment Arrangements and Responsibility. The Company shall notify a customer whose account is delinquent that such customer may make application to the Company for an extended payment arrangement. In addition to the extended payment plans available under Rule 4901:1-18-04, Ohio Administrative Code, the Company may exercise discretion in other arrangements based on reasonable criteria, including:

- (a) The amount of the delinquent account
- (b) The length of time the balance has been outstanding
- (c) The customer's recent payment history
- (d) The reasons why the customer has not made payment
- (e) Any other relevant factors concerning the circumstances of the customer.

24. Budget Payment Plan. Upon submission of a written application acceptable to the Company, any customer who uses gas for space heating purposes may request to be billed for gas consumption on a budget basis in accordance with the following provisions:

- (a) Monthly budget payments for the months August through June shall be based on an amount of consumption equivalent to one-eleventh (1/11) of the customer's preceding twelve (12) months' consumption and current rates. The monthly budget payment for the month of July shall reflect an adjustment balance for any increase or decrease in the customer's account not recovered or reflected in previous months' billings. In the case of a new customer or a customer who has not received service from the Company for twelve (12) consecutive months prior to applying for the Company's Budget Payment Plan, the amount of consumption upon which said customer's monthly budget payment shall be based shall be estimated by the Company. If the customer's actual consumption or the Company's rates change during the budget payment period, the Company shall have the right to adjust the monthly budget payments accordingly without the consent of the customer.
- (b) Applications for the Company's Budget Payment Plan must be received by the Company not later than July 15 of each year, and the monthly budget billing will be effected only during August each year. Any customer in arrears in the payment of the Company's bills at the time of submission of an application shall not qualify for the Budget Payment Plan, and any customer who fails to make monthly budget payments once said customer qualifies for the Budget Payment Plan automatically

Filed pursuant to PUCO Entry dated November 20, 2007 in Case No. 07-0194-GA-AIR

ISSUED: November 21, 2007

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shall be excluded therefrom and said customer shall thereafter be billed in accordance with the applicable schedule of rates contained in the Company's tariffs.

- (c) Monthly budget payments are due and payable on the date shown or indicated on the customer's bill, and the customer continues to be subject to late payment charges for the amount due on that date. Customers qualifying under the Budget Payment Plan shall also continue to be subject to other service conditions and restrictions set forth in the Company's tariffs.
- (d) A customer qualifying for the Budget Payment Plan may withdraw therefrom at any time on written notice to the Company. In such event, the full amount of such customer's account shall become immediately due and payable, subject to the regular collection procedure, and any credit balance shall be refunded at such customer's request.

Filed pursuant to PUCO Entry dated November 20, 2007 in Case No. 07-0194-GA-AIR

ISSUED: November 21, 2007

EFFECTIVE: November 21, 2007

**Issued By
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SECTION 3 – PHYSICAL PROPERTY

25. **Service Lines.** The general term “service line” is commonly used to designate the complete line or connection between the Company main up to and including the meter connection. It consists of two distinct parts: (a) Company service line, and (b) customer service line.
- (a) **Company Service Line.** The Company service line consists of the complete line from the Company’s main line up to and including the connection at the customer service line which is generally at the property or lot line, or the curb stop/curb cock location. This Company service line shall be installed by the Company or its representative without cost to the customer and remains the property of the Company.
- (b) **Customer Service Line.** The customer service line consists of the complete line from the point of connection to the Company service line. The customer service line shall be installed at the customer’s expense and remain the property of the customer. The Company shall have the right to prescribe the size, location and termination points of the customer service line. The customer shall be responsible for maintenance of (except for maintenance and inspections performed by the Company as required under 49 C.F.R. Part 192), for imperfections in and/or for damage, injury, or loss resulting directly or indirectly from the leakage of gas relating to the customer service line.
26. **Pressure Regulators.** The Company will furnish each customer with a suitable regulator or regulators as the Company may determine will adequately serve the customer’s requirements, and such regulator or regulators shall be and remain the property of the Company. The Company shall have the right to replace regulators as the Company may deem it necessary.
27. **Meter Furnished.** The Company will furnish each customer regardless of customer class with a meter of such size and type as the Company shall 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 the meter as the Company shall deem necessary. The Company shall require industrial and commercial consumers to reimburse the Company for its costs of furnishing these customers with a meter. However, the Company may waive such charge for competitive or economic development purposes.
28. **Meter Location.** The Company shall determine the location of the meter. Ordinarily, the location shall be outside of any enclosed building and shall be accessible to the Company without the necessity of customer’s 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 to pay for the relocation of the meter setting together with any portion of the customer service line necessary to accomplish such relocation.

Filed pursuant to PUCO Entry dated November 20, 2007 in Case No. 07-0194-GA-AIR

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Original Sheet No. 11

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29. **Only Company Can Connect Meter.** The owner or 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.
30. **Customer Piping.** The customer shall install, own and maintain, at the customer's expense, the customer piping from the outlet of the meter to all gas burning equipment and appliances.
31. **Appliances.** Customer shall install and maintain all gas-burning equipment and appliances at the customer's expense. The Company shall have no obligation to install, maintain or repair customer's gas-burning equipment and appliances.
32. **Standards for Customer's Property.** The customer service line, customer piping, fittings, valve connections and appliance venting shall be installed with materials and workmanship which meet the reasonable requirements of the Company and shall be subject to inspection or 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.
- The first inspection or test at any service location, including both service lines and customer piping, shall be without charge. In the case of leak, error, patent defect or other unsatisfactory condition resulting in the disapproval of the lines and pipes by the Company, the necessary correction shall be made at the customer's expense. Then the Company will inspect and re-test the lines and pipes again at customer's expense. Each additional inspection and re-test when required after correction shall be subject to a charge covering the cost thereof.
33. **Discontinuance of Supply on Notice of Defect on Customer's Property.** If the customer service line, customer piping, fittings, valves, connections, gas appliances or equipment on a customer's premises are defective or in such condition as to constitute a hazard, the Company upon notice to customer of such defect or condition may discontinue the supply of gas to such appliances or equipment or to such customer service line or such customer piping until such defect or condition has been rectified by the customer in compliance with the reasonable requirements of the Company.
34. **No Responsibility for Material or Workmanship.** Except for maintenance performed by the Company as required under 49 C.F.R. Part 192, the Company is not responsible for maintenance of or any defect in material or faulty workmanship in the customer service line, customer piping or other customer property including fittings, valves, connections, equipment, appliances, venting and any other associated

Filed pursuant to PUCO Entry dated November 20, 2007 in Case No. 07-0194-GA-AIR

ISSUED: November 21, 2007

EFFECTIVE: November 21, 2007

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appurtenances and is not responsible for any loss or damage arising from the inadequate or improper maintenance or from defects in material or faulty workmanship. Provided, if the Company installs the customer service line at customer's expense, the Company will be responsible for defects in materials or faulty workmanship on the customer service line.

35. **Inspection of Altered Piping.** It shall be the duty of the customer to notify the Company promptly of any additions, changes, alterations, remodeling or reconstruction affecting gas piping on the customer's premises.
36. **Extension of Distribution Mains.** The Company will extend its distribution mains (not to exceed two inches in diameter) on any dedicated street or highway without cost up to but not more than a distance of one hundred (100) feet for each applicant. Upon application for a domestic service extension of main in excess of one hundred (100) feet for each applicant, the Company may enter into a line extension agreement providing for a deposit with the Company of a sum deemed adequate by the Company to cover the cost to be incurred by it for that portion of the extension in excess of the footages which the Company will construct without cost to the applicant. The amount of deposit shall be determined by multiplying the excess footage as hereinabove determined by the average cost per foot to the Company of a similar size distribution main installed to refund on the basis of the cost per foot deposited multiplied by one hundred (100) for each additional applicant who becomes a bona fide customer connected to the extension but not to laterals therefrom or to further extensions thereof. No refund shall be paid after the expiration of ten (10) years from the date of the agreement. The agreement covering the main extension must be signed by the owner of the premises to be served. Moreover, if the applicant elects the monthly payment option in the main extension agreement, as more fully described below, said agreement shall require the applicant to inform the prospective and subsequent owners at the premises of the monthly payment terms and conditions. The applicant and the Company must agree on meter location and point of delivery of gas before any piping is laid or installed on the premises to be served.

When an extension of the Company's main to serve an applicant amounts to more than 100 feet per customer, the Company shall offer an applicant who is an end-use customer the option of making the required payment in the form of: (a) a one-time deposit, or (b) a monthly payment. An applicant who is not an end-use customer shall not be eligible for the monthly payment option. If the Company determines, in its sole judgment, that the nature of a main extension is such that it puts the Company at undue risk of recovery, the Company may require different arrangements as a condition of such main extension. The required payment(s) shall be determined as follows:

1. The one-time deposit shall equal the estimated construction cost, net of the applicable entitlement extension footage for each permanent customer initially connected to the main extension.

Filed pursuant to PUCO Entry dated November 20, 2007 In Case No. 07-0194-GA-AIR

ISSUED: November 21, 2007

EFFECTIVE: November 21, 2007

Issued By
Robert S. Black
President, Waterville Gas & Oil Company

**P.U.C.O. No. 12
(Cancels P.U.C.O. No. 11)**

Waterville Gas & Oil Company

Original Sheet No. 13

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2. Where the applicant has elected the monthly payment option, said monthly payment shall be billed to the applicant or subsequent customers at the same premises for the shorter of a period of seven (7) years or until the cost of the main extension is included in the rates and charges for service and shall be considered part of the utility bill subject to disconnection of service for non-payment. The monthly payment shall equal that amount needed to compensate Company for the embedded cost of service associated with the main extension. Such cost of service shall include operation and maintenance expense including taxes, depreciation, and return on rate base reflected in the current rates on the construction cost, net of the applicable entitlement extension footage. The monthly payment amount shall be determined by an economic feasibility study based on recovery of the embedded cost of service of the main extension and related facilities. The Company shall retain for the duration of the payment period the economic feasibility study setting forth the embedded cost of service and provide it to the customer(s) upon request.

Where the applicant has elected the monthly payment option, the Company shall credit such monthly payment commencing when each additional customer connects to the main extension. Such credit shall be the embedded cost of service associated with 100-foot entitlement of each additional customer using the methodology consistent with the original monthly payment calculation. In no case shall the monthly credit for additional customers exceed the initial monthly payment. No reimbursement applies to the further extensions or lateral extensions of the main.

Where the main extension is necessary to provide service availability to plots of lots or real estate subdivisions and such main extension is not deemed justified at the Company's expense, the owners or promoters of such plots of lots or real estate subdivisions may enter into a line extension agreement and deposit with the Company the estimated cost of that portion of the main extension which is not deemed justified at the Company's expense. This deposit will be refunded at the average cost of one hundred (100) feet for each bona fide customer connected to the extension but not to laterals therefrom or to further extensions thereof. No refunds shall be paid after the expiration of ten (10) years from the date of the Agreement.

Where a main extension is requested for commercial or industrial purposes and all or part of such main extension is not deemed economically justified at the Company's expense, based on a cost-benefit study, the Company shall require the applicant(s) to enter into a line extension agreement and deposit with the Company the estimated cost of that portion of the main extension which is not deemed economically justified at the Company's expense, based on such study. This deposit will be refunded annually, based upon the incremental volumes sold directly from the main extension which are over and above those volumes used to determine the portion of the main extension to be done at the Company's expense. The

Filed pursuant to PUCO Entry dated November 20, 2007 in Case No. 07-0194-GA-AIR

ISSUED: November 21, 2007

EFFECTIVE: November 21, 2007

**Issued By
Robert S. Black
President, Waterville Gas & Oil Company**

**P.U.C.O. No. 12
(Cancels P.U.C.O. No. 11)**

Waterville Gas & Oil Company

Original Sheet No. 14

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refund shall be determined by multiplying such incremental volumes by the applicable base rates. No refunds shall be paid after the expiration of ten (10) years from the date of the agreement.

In no case shall the total of refunds exceed the amount deposited for the extension. Deposits will not draw interest. All extensions shall be the property of the Company.

The Company shall have no obligation to make any extensions during the months of December, January, February, or March.

Where a main extension is deemed economically justified at the Company's expense, based upon a cost-benefit study, no deposit need be required.

Filed pursuant to PUCO Entry dated November 20, 2007 in Case No. 07-0194-GA-AIR

ISSUED: November 21, 2007

EFFECTIVE: November 21, 2007

**Issued By
Robert S. Black
President, Waterville Gas & Oil Company**

Waterville Gas & Oil Company

Original Sheet No. 15

**RULES AND REGULATIONS GOVERNING THE DISTRIBUTION AND SALE OF NATURAL GAS IN
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SECTION 4 – RATES AND CHARGES

37. General Service Rate – GS

Availability. Available and applicable to all residential, commercial and industrial customers who have properly completed an application for service within the service area covered by this tariff, consisting of Middleton and Perrysburg Townships and the City of Perrysburg, Wood County, Ohio and Monclova and Waterville Townships, Lucas County, Ohio, except for the Village of Waterville which is served pursuant to municipal ordinance.

Rates or charges for consumers using in excess of 2,000,000 cubic feet of natural gas per month may be fixed by contract with such individual consumers and provision made for such limitation of service and other terms and conditions relating to the supplying of natural gas as may be agreed upon with such consumer(s) and subject to the approval of the Public Utilities Commission of Ohio pursuant to Ohio Revised Code Section 4905.31. Provided, that at least 50 percent of the consumption must occur in the six billing months from May through October. If this threshold consumption is not maintained, then all usage will be billed at the rates and charges set forth below.

Rates and Charges.

The Monthly customer service charge shall be \$10.00 for each customer location, regardless of the amount of natural gas consumed;

Plus \$2.6307 per 1,000 cubic feet ("Mcf") for each Mcf consumed;

Plus all delivered gas shall be subject to an adjustment per Mcf as set forth in :

Paragraph 39, Gas Cost Recovery Rate
Paragraph 40, Gross Receipts Tax Rider
Paragraph 41, Ohio Mcf Tax Rider
Paragraph 42, Uncollectible Expense Rider

Miscellaneous Charges.

Customers receiving service under this Rate Schedule are subject to the Miscellaneous Charges set forth in Paragraph 38 of this Tariff as follows: Late Payment Charge; Bad Check Charge and ACH Return Charge; Reconnection Charge; Meter Test Charge; Meter Re-read Charge; Tie-in Charge; Collection Charge.

Filed pursuant to PUCO Entry dated November 20, 2007 in Case No. 07-0194-GA-AIR

ISSUED: November 21, 2007

EFFECTIVE: November 21, 2007

Issued By
Robert S. Black
President, Waterville Gas & Oil Company

**P.U.C.O. No. 12
(Cancels P.U.C.O. No. 11)**

Waterville Gas & Oil Company

Original Sheet No. 16

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Service under this Rate Schedule is subject to the Rules and Regulations Governing the Distribution and Sale of Natural Gas set forth in this Tariff and all applicable Rules and Orders of the Public Utilities Commission of Ohio.

38. Miscellaneous Charges. The following charges shall apply to all customers served:

- (a) **Late Payment Charge.** If a bill payment is not received by the Company offices or by the Company's authorized agent within fourteen (14) days of the date of the invoice, a one-time additional charge of five (5) percent of the customer's billing shall be made. This provision is not applicable to unpaid account balances of any customer enrolled in PIPP or a payment plan pursuant to Rule 4901:1-18-04, Ohio Administrative Code.
- (b) **Dishonored Check and ACH Return Charge.** Whenever a customer pays a bill by check and the check is returned to the Company by the customer's financial institution for lack of sufficient funds in the customer's account, there shall be a dishonored check assessed for each check returned. Whenever customer pays by electronic debit and the ACH is rejected for insufficient funds, there shall be a dishonor charge assessed for each such return. Such customer shall be charged twenty-three dollars (\$23.00) for processing the dishonored check or ACH return.
- (c) **Reconnection Charge.** Whenever a customer has been disconnected involuntarily for non-payment of the customer's bill, a charge not to exceed fifty dollars (\$50) shall be assessed prior to reconnection of service. In the event that a customer has voluntarily requested that the Company discontinue service, prior to reconnecting service to the same customer at the same service address, the customer shall be required to pay a reconnection charge equal to the applicable monthly customer service charge set forth in paragraph 37 of this Tariff multiplied by the number of months (not to exceed twelve [12] months) during which service has been disconnected.

Reconnection of service for residential customers shall be completed in compliance with the schedule established by Rule 4901:1-18-06, Ohio Administrative Code. Reconnection of service for small commercial customers shall be completed in compliance with the schedule established by Rule 4901:1-13-09, Ohio Administrative Code.

- (d) **Meter Test Charge.** When a meter is tested at the request of the customer and the meter tested is found to be accurate within a tolerance of plus or minus three (3) percent, the Company will assess a meter test charge of thirty-five dollars (\$35.00) to recover the cost of the removal and meter test. The customer will be advised of the cost of the meter test at the time of the request for the test. If the meter tested is found not to have been accurate, there shall be no charge for the removal or test.

Filed pursuant to PUCO Entry dated November 20, 2007 in Case No. 07-0194-GA-AIR

ISSUED: November 21, 2007

EFFECTIVE: November 21, 2007

**Issued By
Robert S. Black
President, Waterville Gas & Oil Company**

**RULES AND REGULATIONS GOVERNING THE DISTRIBUTION AND SALE OF NATURAL GAS IN
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- (a) **Meter Read Charge.** A customer may request an actual meter read without charge if the customer's usage has been estimated for more than two of the immediately preceding billing cycles consecutively or if the customer has reasonable grounds to believe the meter is malfunctioning. At any other time a customer requests a meter read, the Company will assess a meter re-read charge of twenty-five dollars (\$25.00). A customer shall be informed of this charge when making the request.
- (b) **Tie-in Charge.** If a tie-in is required to restore service to a customer whose service line has been cut and plugged as the result of detection of unauthorized use of service, a charge of up to three hundred dollars (\$300.00) or actual cost, whichever is less, shall be assessed. A customer shall be informed of this charge when making a tie-in request and before a Company Employee is dispatched. Unauthorized service includes:
- (1) detection of turning on the meter by customer or customer's agent after non-payment disconnection of service by the Company;
 - (2) detection of turning on the meter and the curb stop by the customer or customer's agent after non-payment disconnection of service by the Company;
 - (3) Detection of by-passing the meter inlet and outlet connections after removal of the meter by the Company.
- (c) **Collection Charge.** If payment is made to any employee whose authorized purpose was to disconnect service and who was authorized to accept such payment, or to an employee dispatched to the premises to accept payment, a charge of ten dollars (\$10.00) may be assessed on each such visit and shall be payable at the time of such visit. However, this charge shall be waived for the first such trip in any 36-month period, and only one such trip can occur in any billing period.
39. **Gas Cost Recovery Charge.** The charge to the customer for the cost of gas shall be the appropriate final Gas Cost Recovery (GCR) rate per Mcf applied to the customer's monthly consumption. The final GCR rates shall be determined under the provisions of the uniform purchased gas adjustment as set forth in Ohio Administrative Code Chapter 4901:1-14 and any subsequent revisions thereof, and to the lawful orders of regulatory authorities having jurisdiction.

40. **Gross Receipts Tax Rider.** The Gross Receipts Excise Tax Rider is applicable to all charges billed by the Company under its current Rate GS rate schedule. Provided, that this rider shall not be billed to those customers statutorily exempted from the payment of gross receipts taxes.

All bills shall be adjusted for the Ohio Gross Receipts Tax on all revenues at a rate of 4.8899%.

Filed pursuant to PUCO Entry dated May 21, 2009 in Case No. 09-105-GA-ATA

ISSUED: May 22, 2009

EFFECTIVE: 22, 2009

Issued By
Robert S. Black
President, Waterville Gas & Oil Company

**P.U.C.O. No. 12
(Cancels P.U.C.O. No. 11)**

Waterville Gas & Oil Company

Eighth Revised Sheet No. 18

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- 41. Ohio Mcf Tax Rider.** The Ohio Excise Tax on each per MCF of natural gas distributed by the company through a meter of an end user in this state shall be applicable to all gas delivered by the Company to customers billed by the Company under its current Rate GS rate schedule.

All bills shall be adjusted to recover the Ohio Excise Tax by \$.0411 per Mcf delivered.

- 42. Uncollectible Expense Rider.** Applicable to all customers served under the Company's current Rate GS rate schedule. An additional charge of \$(0.0005) per Mcf shall be applied to all volumes of service rendered to recover cost associated with uncollectible accounts arising from those customers responsible for paying the Uncollectible Expense Rider. The Company shall file an application with the Public Utilities Commission of Ohio requesting approval to change the rate if the Company determines that an adjustment of more than plus or minus ten (10) percent is needed to adjust for prior period over- or under-collections.

Filed pursuant to PUCO Finding and Order dated October 5, 2016, in Case No. 16-317-GA-UEx

ISSUED: October 5, 2016

EFFECTIVE: October 5, 2016

**Issued By
Robert S. Black
President, Waterville Gas & Oil Company**

P.U.C.O. No. 12
(Cancels P.U.C.O. No. 11)

Waterville Gas & Oil Company

Revised Sheet No. 19
Replaces Original Sheet No. 19

**RULES AND REGULATIONS GOVERNING THE DISTRIBUTION AND SALE OF NATURAL GAS IN
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SECTION 5 — GENERAL INFORMATION

43. **Subject to Commission Rules and Regulations.** These Rules, Regulations and Rates Governing the Distribution and Sale of Natural Gas are subject to and include as part thereof all orders, rules, and regulations applicable to the Company as issued or established from time to time by the Public Utilities Commission of Ohio under its emergency powers.
44. **Gas Supply Shortage and Curtailment.** The following classifications set forth the rules of the Company governing the curtailment of gas service to various classes of customers in the event of a gas shortage. The Company may curtail or discontinue gas service in accordance with this classification without incurring liability for any subsequent loss or damages that its customers may sustain through such curtailment or discontinuation.
- (a) **Class A Customers** shall include any service account where the use of natural gas is for space heating of a permanent residence or for use by a governmental agency or public service organization that provides emergency or life support services. Human needs customers shall include permanent residences, hospitals, nursing homes, residential correctional institutions, and motels and hotels. In the event of a shortage of gas, Class A customers shall have preference over Class B and Class C customers.
- (b) **Class B Customers** shall include any service account where the use is in schools, churches, and similar institutions, federal, state, county, municipal and public buildings, theaters, stores, restaurants, bakeries, and all types of commercial establishments. In the event of a shortage of gas, Class B customers shall have preference over Class C customers.
- (c) **Class C Customers** shall include service accounts using gas in industrial or manufacturing facilities, including gas used for space heating by such customers, and customers using gas for the generation of power. Gas service to customers under this classification shall be subject to discontinuance or curtailment at any time, temporarily or permanently, in whole or in part, to protect or conserve the supply of gas for Class A and Class B customers.
45. **Effect of Commission Approval.** Approval of the above tariff language by the Public Utilities Commission of Ohio 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.

Filed pursuant to PUCO Finding and Order dated January 20, 2015 in Case No. 15-1551-GA-ATA

ISSUED: January 22, 2015

EFFECTIVE: January 22, 2015

Issued By
Robert S. Black
President, Waterville Gas & Oil Company

**P.U.C.O. No. 12
(Cancels P.U.C.O. No. 11)**

Waterville Gas & Oil Company

Original Sheet No. 20

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Nothing contained in this tariff shall relieve the Company of its duties and obligations under the Pipeline Safety Act of 1994 as amended, 49 USCA Section 60101 et seq., 49 C.F.R. Part 192 and all applicable federal regulations, and Chapter 4901:1-16 of the Ohio Administrative Code.

Filed pursuant to PUCO Entry dated November 20, 2007 in Case No. 07-0194-GA-AIR

ISSUED: November 21, 2007

EFFECTIVE: November 21, 2007

**Issued By
Robert S. Black
President, Waterville Gas & Oil Company**