

ORDINANCE NO. C-6-66

Fixing and regulating the price that may be charged by Columbia Gas of Ohio, Inc., its successors or assigns, for natural gas to the City of Grove City, Ohio, and to its inhabitants, for the period of Four (4) Years from and after the effective date of this ordinance; and repealing Ordinance No. 37-61 passed by the Council of the City of Grove City, Ohio, on the 8th day of January, 1962, entitled: "Ordinance No. 37-61 - Fixing and regulating the price that may be charged by The Ohio Fuel Gas Company, its successors or assigns, for natural gas to the City of Grove City, Ohio, and to its inhabitants, for the period of Four (4) Years; and declaring an emergency."

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF GROVE CITY, OHIO:

SECTION 1: That, for the period of Four (4) Years from and after the effective date of this ordinance, the maximum price which Columbia Gas of Ohio, Inc., its successors or assigns, shall be permitted to charge for and the minimum price at which it or they shall be required to furnish natural gas to the City of Grove City, Ohio, and to its inhabitants, shall be and the same is hereby fixed for each individual consumer, as follows:

Twenty-five Cents (25¢) per one hundred (100) cubic feet for the first 2,000 cubic feet, used through each meter each month;

Seven and sixty-five hundredths Cents (7-65/100¢) per one hundred (100) cubic feet for the next 98,000 cubic feet, used through each meter each month;

Seven Cents (7¢) per one hundred (100) cubic feet for all in excess of 100,000 cubic feet, used through each meter each month;

A Minimum Charge for each customer each month of Two Dollars and Fifty Cents (\$2.50) shall be made. If service under this rate schedule is discontinued at the request of customer, the Company shall not be under any obligation to resume service to the same customer on the same premises until the customer has made payment of an amount equal to the minimum monthly charge for each month of the intervening period, but not to exceed twelve (12) months.

FUEL COST CLAUSE

The service rates prescribed above are subject to an adjustment for any change in the rates paid by Columbia Gas of Ohio, Inc., (Company) to The Ohio Fuel Gas Company (Ohio Fuel) for the purchase of natural gas or for any refund or refunds received from Ohio Fuel, as hereinafter provided. Ohio Fuel's rates to the Company are regulated by the Federal Power Commission.

The service rates prescribed above are predicated upon the rate paid by the Company to Ohio Fuel of \$1.87 per month per one thousand (1,000) cubic feet of Billing Demand and 32.05¢ per one thousand (1,000) cubic feet for all gas purchased and are hereinafter referred to as the "base rate".

(1) Gas purchased by the Company during the twelve (12) month period ended with the second month preceding the month in which a new rate of Ohio Fuel is first used in computing the monthly bill to the Company shall be priced:

- (a) at the base rate, and
- (b) at the new rate.

The difference in the cost of gas purchased computed at the base rate and at the new rate in the manner set forth above, shall be divided by the volume of gas purchased by the Company during the same twelve (12) month period to determine the increase or decrease per one thousand (1,000) cubic feet, to the nearest one-hundredth of a cent, which shall be the "purchased gas adjustment".

(2) The service rates shall be increased or decreased by the amount of the purchased gas adjustment as determined in paragraph A (1), effective with bills rendered on and after the 30th day (the effective date) following the date on which a new rate of Ohio Fuel is first used in computing the monthly bill to the Company; provided that the Company shall have filed with the Public Utilities Commission of Ohio and the Clerk of Council of the City of Grove City, Ohio, not less than fifteen (15) days prior to the effective date, a computation in support of said purchased gas adjustment, together with a notice that such purchased gas adjustment is to be placed in effect at 12:01 A.M. on the effective date and shall apply to all bills rendered on and after that date.

B. Refund Adjustment

Whenever, during a quarterly period ending each March 31, June 30, September 30 and December 31, subsequent to the effective date of this fuel cost clause, the Company receives a refund or refunds from Ohio Fuel, the Company shall decrease the service rates in the following manner:

(1) Dividing such refund or refunds by the actual volumes of gas purchased during the twelve month period ending with the quarter in which the refund or refunds were received. The quotient so determined to the nearest one-hundredth of a cent shall be the "refund adjustment".

(2) The service rates which would otherwise be in effect shall be decreased for a twelve month period commencing on the first day of the third month after the quarterly period in which the refund or refunds were received. The refund adjustment shall terminate at the end of said twelve months.

(3) The Company shall file with the Public Utilities Commission of Ohio and the Clerk of Council of the City of Grove City, Ohio thirty (30) days prior to the effective date a computation in support of said refund adjustment together with a notice that the refund adjustment will be placed in effect as of 12:01 A.M. on the effective date and shall apply to all bills rendered on and after that date for a twelve month period. Such filing shall also set forth the combined effect of the current purchased gas adjustment and the refund adjustments determined as herein provided for the next four (4) quarterly periods.

(4) When a refund or refunds have been used as a credit to

SECTION 2: That it is expressly conditioned the service to be rendered by said Company, its successors or assigns, pursuant to this ordinance shall be primarily for domestic and commercial purposes and that service shall not be extended to other consumers of different classes until after all reasonable requirements for domestic and commercial purposes are fully met, and this provision shall be binding upon said Company, its successors or assigns, during each month of each year; but during any month or year, subject to the foregoing limitations and after compliance with the foregoing provisions gas may be delivered to any other consumer and additional classes of consumers at such times and under such conditions and for such rates as may be agreed upon between the Company and such consumer or consumers.

SECTION 3: That Ordinance No. 57-61 passed by the Council of the City of Grove City, Ohio, on the 8th day of January, 1962, entitled: "Ordinance No. 57-61 - Fixing and regulating the price that may be charged by The Ohio Fuel Gas Company, its successors or assigns, for natural gas to the City of Grove City, Ohio, and to its inhabitants, for the period of Four (4) Years; and declaring an emergency." be and the same is hereby repealed.

SECTION 4: The terms and conditions of the service to be rendered shall conform with and be subject to the Rules and Regulations for furnishing gas service of the Company on file with and approved by The Public Utilities Commission of Ohio.

SECTION 5: That the natural gas furnished or delivered pursuant to the terms of this ordinance, by the said Company, shall have an average heating value of 1,000 British thermal units per cubic foot for any consecutive twelve (12) month period subject to a variance of not more than five (5) percent upward or downward.

SECTION 6: In the event the State of Ohio, or the City of Grove City, Ohio, should hereafter impose a tax upon the Company that is not now imposed, or should hereafter increase the rate of any tax now imposed upon the Company above the tax rate now existing, other than the rate on property listed in the real estate tax list and duplicate, then the rates prescribed in Section 1 shall be increased to the extent necessary to compensate the Company for the increase in cost due to such new tax or higher tax rate. This shall be done in the following manner:

(a) If the new tax or higher tax rate is computed in direct relation to gas sold or revenues received for the sale of gas, the rates set forth herein shall be adjusted to the extent necessary to recompense the Company for the amount thereof.

(b) If the new tax or higher tax rate is not related directly to gas sold or to revenues received for the sale of gas, then the total dollar effect thereof upon the cost of serving gas by the Company in the City shall be determined, based upon operations of the Company in the City during the most recently available twelve months period ending on the last day of the December or June, preceding the effective date of the new tax or higher tax rate; the total dollars so computed shall then be

Written notification of the adjustment shall be sent to the Clerk of the City as quickly as possible after the effect of the new tax or higher tax rate can be determined.

SECTION 7: That any ordinance or resolution, or part of an ordinance or resolution, inconsistent herewith, is, to the extent of such inconsistency, hereby repealed.

SECTION 8: That should any section or part of a section or provision of a section of this ordinance be declared void, the remainder of this ordinance shall not be affected thereby.

SECTION 9: That this ordinance shall become effective at the earliest date allowed by law, provided, however, that this ordinance shall have no force or effect whatsoever unless written acceptance of this ordinance is filed by the Company with the Clerk of the City of Grove City, Ohio, prior to the expiration of thirty (30) days from the date this ordinance is passed.

PASSED: *March 7, 1966*

Robert T. Wagner

MAYOR *Anton C. Peltzer*

ATTEST:

Maria J. Kochensperger
CLERK

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Date: *2-24-66*

I hereby certify that the foregoing legislation was published *2-24-66* in accordance with the provisions of Section 2.11. of the Grove City Charter.

[Signature]
Clerk of Council