

BEFORE

THE PUBLIC UTILITIES COMMISSION OF OHIO

In the Matter of the Application of The)
Cincinnati Gas & Electric Company for an)
Increase in its Rates for Gas Service to All) Case No. 95-656-GA-AIR
Jurisdictional Customers.)

ENTRY

The Commission finds:

- (1) On July 2, 1997, the Commission issued its supplemental opinion and order in this proceeding approving, subject to certain modifications, stipulations regarding interruptible balancing services and firm transportation services for small commercial and residential customers for The Cincinnati Gas & Electric Company (CG&E). In that order, the Commission imposed a moratorium on promotional advertising and customer solicitation by marketers which is to expire 45 days following the Commission's July 17, 1997 entry approving CG&E's tariffs (August 31, 1997). During the moratorium, only public service customer information may be distributed regarding the new gas transportation program by CG&E, the Commission, and Ohio Consumers' Counsel. The Commission also stated that the moratorium in no way affects marketers' advertising and customer sign-up for current transportation programs.
- (2) To clear up any confusion as to the intent of the Commission's moratorium, the Commission wishes to make it clear that marketers are not to advertise or solicit any customers for the new transportation service until September 1, 1997. This prohibition includes solicitation of current customers for the new service. The marketers may solicit new customers for the current transportation programs but not for the new pilot program. To this extent, marketers should refrain (until the end of the moratorium) from any advertising that refers explicitly to, or implies availability of, the "new" or "pilot" program, or which uses phrases such as "for the first time" or "now." Use of these terms or similar phrases may be construed as advertising of the new pilot program, in contravention of the moratorium. In addition, marketers should refrain from engaging in any advertising for choice in natural gas supply or transportation services directed at residential

customers, since such advertising may be construed as marketing of the new pilot program. As noted in the Commission's July 2, 1997 order, individual marketers that do not comply with the moratorium may be subject by CG&E to delayed start-up or sign-up dates, subject to the Commission's approval.

It is, therefore,

ORDERED, That the above findings be observed. It is, further,

ORDERED, That a copy of this entry be served upon all marketers who have expressed in interest to the Commission in this program and all parties of record.

THE PUBLIC UTILITIES COMMISSION OF OHIO

Craig A. Glazer, Chairman

Jolynn Barry Butler

Ronda Hartman Fergus

David W. Johnson

Judith A. Jones

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