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PUCO

**SCHEDULE OF RATES, CLASSIFICATIONS,
RULES AND REGULATIONS**

FOR

GAS SERVICE

OF

BRAINARD GAS CORP.

4369 BRAINARD ROAD

ORANGE VILLAGE, OHIO 44022

89-8034-6A-TRF

P.U.C.O. No. 1

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AUG 19 1999
TARIFF DIVISION
Public Utilities Commission of Ohio

RULES AND REGULATIONS GOVERNING THE DISTRIBUTION AND SALE OF GAS

TABLE OF CONTENTS

Sheet Number

SECTION I - RATES AND CHARGES

1.	Sales Rate	1
2.	Gas Cost and Ohio Gross Receipts Tax Recovery.	1
3.	Payment of Bills and Late Payment Charge.	1
4.	Bad Check Charge.	1
5.	Reconnection Charge.	1
6.	Meter Test Charge.	1
7.	Gas Cost Recovery Rate.	2
8.	PIPP Arrears Recovery Rate	3
9.	Ohio Gross Receipts Tax Recovery Rate.	4
10.	Ohio Excise Tax Recovery Rate	4.1

SECTION II - SERVICE

1.	Application for Service.	5
2.	Turning on Gas	5
3.	Service not Transferable.	5
4.	Continuity of Service.	5
5.	Service not to be Disturbed	6
6.	No Customer Shall Sell to Another	7
7.	Access to Premises.	7
8.	Customer's Responsibility.	7
9.	Right-of-Way.	7
10.	Charges and Payment for Temporary Service	8
11.	Customer Indebted to Company.	8
12.	Customer Shall Satisfactorily Secure Account.	9
13.	Right to Discontinue Service	9
14.	Change of Address of Customer.	10
15.	Information Relative to Service	10
16.	Change in Tenancy or Ownership.	10
17.	Property Agent/Rental Agent Disconnection Notice.	10

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SECTION III - METERING AND BILLING

1. Quantity of Gas delivered by Meter. 11
2. Backbilling. 12
3. Billing Periods. 12
4. Payment of Bills. 12
5. Removal of Service by Company. 12
6. Bill Format and Billing Procedure. 12
7. Initial and Final Meter Readings. 12

SECTION IV - PHYSICAL PROPERTY

1. Service Lines. 14
2. Meter Furnished. 14
3. Meter Location. 14
4. Only Company Can Connect Meter. 15
5. House Piping. 15
6. Appliances. 15
7. Standards for Customer's Property. 15
8. Discontinuance of Supply on Notice of Defect in Customer's Property. 15
9. No Responsibility for Material or Workmanship. 16
10. Inspection of Altered Piping. 16
11. Extension of Distribution Mains 16

SECTION V - TRANSPORTATION SERVICE

1. Applicability. 18
2. Transportation Service. 18
3. Rates. 19
4. Late Payment Charge. 19
5. Terms and Conditions 19

SECTION VI - GENERAL

1-6 General Information 20

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BRAINARD GAS CORP.

P.U.C.O. No. 1, First Revised Sheet No. 1

SECTION I - RATES AND CHARGES

1. Sales Rate: The Company sales rate shall include:
 - A. Customer Charge of \$7.00 per meter, per month, regardless of gas consumed. [The minimum monthly charge shall be the Customer Charge.]
 - B. Base Rate of \$2.50 per MCF, regardless of gas consumed.
2. Gas Cost, Ohio Gross Receipts Tax, and Ohio Excise Tax Recovery. In addition to the above rates, all gas consumed is subject to the Gas Cost Recovery Rate set forth on Original Sheet No. 2. Net Customer bills are also subject to the Ohio Gross Receipts Tax Recovery Rate set forth on Original Sheet No. 4. All gas delivered is also subject to the Ohio Excise Tax Recovery Rate set forth on Original Sheet No. 4.1.
3. Payment of Bills and Late Payment Charge. Bills shall be paid by Customer at any Brainard Gas Corp. (Company) office or authorized collection agent of Company during regular business hours. A list of authorized agents, if any, will be made available to Customers upon request or inquiry. Any remittance received by Company first class mail prior to Company next billing date will be accepted as within the net payment period. A late payment charge 1.5% per month will be added to the outstanding balance when payment is not received during the net payment period. The late payment charge shall not be assessed to those Customers participating in the Percentage of Income Payment Plan or any other Commission-authorized payment plan.
4. Bad Check Charge. Whenever a customer pays a bill by check or other instrument which is then returned to Company due to insufficient funds, that Customer shall be assessed a bad check charge of \$22.00.
5. Reconnection Charge. If service is reconnected after disconnection for nonpayment, Customer shall be assessed a reconnection charge of \$25.00 if reconnection is made during regular business hours. If reconnection is made after normal business hours, the charge shall be \$37.50.
6. Meter Test Charge. If a meter is tested at the request of a Customer and said test result demonstrates the meter was operating within accepted tolerances as stated within these Rules and Regulations, the Company may charge the Customer a meter test charge of \$25.00. However, for the first such meter test in any twelve-month period, the Company will not charge the Customer.

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This page intentionally left blank for publication of PIPP Arrears Recovery Rate.

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OHIO GROSS RECEIPTS TAX RECOVERY RATE

APPLICABILITY

Applicable to all sales and transportation services provided by the Company on behalf of customers served under any of its prevailing rate schedules or lawful and valid contracts.

EFFECTIVE RATE

The rider, stated in terms of a specific percent, to be applied to customer bills is 4.890%.

SERVICE REGULATIONS

The supplying of, and billing for, service and all conditions applying thereto, are subject to the jurisdiction of the Public Utilities Commission of Ohio and to the Company's Rules and Regulations filed with the Public Utilities Commission of Ohio as provided by law.

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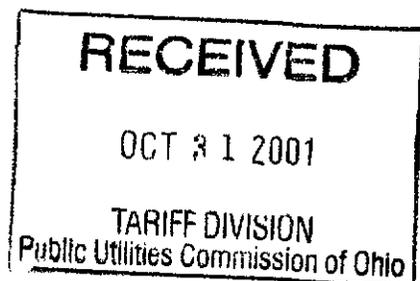
OHIO EXCISE TAX RECOVERY RATE

APPLICABILITY

Applicable to all gas delivered by the Company to customers served pursuant to any of its prevailing rate schedules or contracts.

EFFECTIVE RATE

The rider to recover the Ohio Excise Tax is \$.0411 per Mcf delivered.



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RULES AND REGULATIONS GOVERNING THE DISTRIBUTION
AND SALE OF GASSECTION II - SERVICE

1. Application for Service. All applications for service shall be made through the local office of the Company or its authorized agents.
2. Turning on Gas. The customer, after making proper application for service, shall notify the Company when he desires service to be established. In no case shall the customer, customer's agent, or customer's employee turn on the gas at the curb or meter cock. Gas shall be turned on, upon the date specified, by an authorized agent of the Company. If the Company finds itself unable to establish the service on the date specified, it shall so notify the customer as much in advance as possible (but not less than two days before the date requested by the customer), and a new date shall be established by mutual agreement.
3. Service not Transferable. No person may commence the use of gas until after making application therefor and requesting the Company to turn on the service in accordance with paragraphs (1) and (2) above. In the event of violation of this provision, in addition to other rights of the Company, such person shall be liable to all gas consumed in the premises from the date such person occupied the premise. 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.
4. Continuity of Service. The Company will furnish necessary and adequate service and facilities in compliance with Section 4905.22 of the Ohio Revised Code. 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.

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Also, without incurring any liability therefor, the Company may suspend service for such periods as may be reasonably necessary in order to make repairs to or changes in its plant, transmission or distribution systems or other property; provided that the Company shall keep a record of any interruption of service affecting its entire system or a major division thereof, including a statement of time, duration and cause of interruption. It will also notify each customer affected by the interruption in advance of the contemplated work, and approximately how long the interruption will last.

Subject to Original Sheet No. 9, Section II, Item 13, the Company shall not discontinue service to any customer, nor cause any deviation from adequate, uniform pressure at the point of delivery to any customer, without giving such customer at least forty-eight (48) hours notice of its intention to do so. Such notices shall be positive, preferably by word of mouth delivered whether personally or telephonically. In emergencies, however caused, when time does not permit the giving of such notice in advance of a discontinuance of service or a change in pressure caused by circumstances beyond the control of the Company, prompt notice shall be given to all customers affected advising them that service is off and of the time at which service or pressure is expected to be restored.

In the event there has been an interruption of service to any premises, however caused, the Company shall, before restoring such service, ascertain and assure itself that all precautions have been taken to prevent accidents that might be caused in or around any customer's premises by the discharge of gas into or around such premises in accordance with applicable sections of the Ohio Administrative Code. Without limitation, this shall be accomplished by inspections of such premises by competent Company personnel who shall turn off all appliance valves and block all thermostatic controls, or, when access to the premises cannot be obtained, shall turn off service at the curb cock.

5. 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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6. No Customer Shall Sell to Another. Gas furnished by the Company is for the sole use of the customer and shall not be resold by customer except on written permission obtained from the Company. The renting of premises with the cost of gas service included in the rental as an incidence of tenancy will not be considered a resale of such service.

Where gas services supplied through one meter to an apartment house or multiple dwelling, for billing purposes, the rates will be applied as a single customer.

The customer may arrange customer's piping, at customer's expense, so as to separate the combined service and permit the Company to install a separate meter for each individual apartment. In such cases, each individual apartment shall be billed as a single customer.

7. Access to Premises. Neither the Company nor its agents or employees shall have any inherent rights to enter into or upon the premises of a customer without the express permission of such customer except in cases of emergency. Any agent or employee seeking entrance into or upon the premises of a customer shall have or wear, and show, adequate symbols of identification not easily counterfeited. Any agent or employee seeking entrance to a premises shall advise the owner or occupant as to his purpose of doing so. No customer shall be obligated to afford entrance or access to his premises except during normal business hours and then only to such parts of the premises where Company-owned property may be located.
8. Customer's Responsibility. Customer assumes all responsibility for property owned by the customer on customer's side of the point of delivery, generally the outlet side of the curb cock, for the service supplied or taken, as well as for the installation of appliances used in connection therewith, and will save Company harmless from and against all claims for injury or damages 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.
9. 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.

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10. 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 his request for any temporary purpose or use. The Company may, at its option, require that any customer for temporary service shall deposit with the Company a sum equal to the Company's estimate of the cost to be incurred by it as above.

After the service has been discontinued and all actual costs determined, any sum deposited by the customer in excess of actual cost shall be refunded to him or, if the cost exceeded the Company's estimate, the customer shall be liable for payment of the excess. It is provided further that if the Company shall elect to leave in place any or all of the facilities provided, constructed or installed to render such temporary service, a proportional amount of the customer's deposit shall be returned to him or he shall only be charged for the facilities not retained, a proportional share of the total cost.

11. Customer Indebted to Company. Service will not be supplied to any premises, if at the time of application for service, the applicant is indebted to Company for 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. The Company shall follow the reconnection procedures established by Ohio Administrative Code, Section 4901:1-18, and any subsequent amendments thereto, which section is incorporated herein by reference. Unpaid balances of previously rendered final bills may be transferred and included on the initial or subsequent bill for a like service account. Such transferred final bills, if unpaid, will be part of the past due balance of the transferee governed by Chapter 4901:1-18 of the Ohio Administrative Code. The transfer of final bills is limited to like service, i.e. residential to residential, commercial to commercial. The Company may not transfer a delinquent commercial industrial account to any account where any end user is a residential customer.

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12. Customer Shall Satisfactorily Secure Account. Company may require a customer to satisfactorily secure an account in accordance with the provisions of Ohio Revised Code, Section 4933.17, and Ohio Administrative Code, Section 4901:1-17. In the event such security is required, the procedures with respect thereto shall be in accordance with Ohio Revised Code, Section 4933.17 and Ohio Administrative Code, Section 4901:1-17 and any subsequent amendments thereto, which sections are incorporated by reference herein. Copies of the statute and rule shall be made available for inspection upon the request or inquiry of any customer or applicant for service. All returned deposits will be paid in accordance with Ohio Administrative Code, Section 4901:1-17.
13. Right to Discontinue Service. The Company shall have the right to discontinue service for any of the following reasons or purposes:
- (1) Refusing access.
 - (2) Non-payment of bills for gas when bills are due.
 - (3) Failure to furnish or maintain a required security deposit in accordance with Ohio Administrative Code, Section 4901:1-17.
 - (4) Violation of any of these rules and regulations.

The Company shall have the right to discontinue service, and 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:

- (1) Non-use of gas.
- (2) Fraudulent representation or practice.
- (3) Whenever deemed necessary by the Company for safety reasons.

With respect to residential customers, the Company shall follow the termination procedures in compliance with Ohio Administrative Code, Section 4901:1-18, and any subsequent amendments thereto, which section is incorporated herein by reference. Copies of the rule shall be made available for inspection upon the request or inquiry of any customer or applicant for service.

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AND SALE OF GAS

14. **Change of Address of Customer.** When customer changes his address, he should give notice of his intent to do so to Company prior to the date of change. Customer shall be responsible for all services supplied to the former premises until such notice has been received and Company has had a reasonable time of two (2) regular Company business days to discontinue service.
15. **Information Relative to Service.** Information relative to the service that will be supplied at a given location should be obtained from Company. A full and complete copy of the company's tariff covering rates and charges for service and terms and conditions of service is available for public inspection at the Company's business office during normal business hours. The Company shall comply with the tariff disclosure requirements established by the Public Utilities Commission of Ohio and set forth in Section 4901:1-03 of the Ohio Administrative Code, as amended from time to time.
16. **Change in Tenancy or Ownership.** At such time as the Company is notified of a change of tenancy or ownership, whether such notice is given by the customer or otherwise, the Company shall make a final meter reading and prepare and mail a final bill. Former customer is responsible for all service supplied to the premises until such notice has been received and Company has had a reasonable time to make a final meter reading. Reasonable time is defined as being two (2) regular Company business days.
17. **Property Agent/Rental Agent Disconnection Notice.** In addition, if a customer who is a Property Owner/Rental Agent requests disconnection of service and there are remaining residential tenants at the premises, the Company is required to notify the tenants of the intended disconnection of service. This notification will be posted in a conspicuous place at the premises at least ten (10) working days prior to the scheduled date for disconnection of service. The Property Owner/Rental Agent shall continue to be liable for all gas consumed during the ten (10) day notice period.

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RULES AND REGULATIONS GOVERNING THE DISTRIBUTION
AND SALE OF GAS

SECTION III - 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, subject to Section III, Item 2 on backbilling of residential customers.

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

All meters shall be tested at such intervals and using such methods as may be prescribed from time to time by the Public Utilities Commission of Ohio. The meter shall be removed from the customer's premises for such test and a substitute meter, newly tested, shall be installed in its place. After the meter has been tested and before it is returned to service at the same or a different location, it shall be adjusted to be accurate within three percent (3%) plus or minus.

The Company shall test meters using the method prescribed by the Public Utilities Commission of Ohio. If the meter is found to be correct, as defined below, the customer may pay a fee for the testing in accordance with Section I, Item 6 herein and Ohio Revised Code, Section 4933.09. The date of reinspection shall be stamped on the 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.

During any period that incorrect registration can be established, the Company on the basis of all available information concerning the use of gas shall adjust the meter readings and bills based thereon. If, as the result of such adjustment, overpayments are shown to have occurred, the Company shall reimburse the customer in the amount of such overpayments. The Company shall continue to supply gas to the customer and the customer shall pay the amounts billed, pending the adjustment.

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RULES AND REGULATIONS GOVERNING THE DISTRIBUTION
AND SALE OF GAS

2. **Backbilling.** The Company's policy on backbilling shall comply with the guidelines established by the Public Utilities Commission of Ohio and the Ohio Revised Code, Section 4933.28.
3. **Billing Periods.** Bills shall be rendered regularly at monthly intervals. Non-receipt of bills by customer does not release or diminish the obligation of customer with respect to payment thereof.

Meters are ordinarily read at monthly intervals by the Company or its Agent. At a minimum, the Company or its Agent shall make reasonable attempts to obtain actual readings of its customer meters every other month, except where the customer and the Company have agreed to other arrangements; provided, however, that the Company shall read each Customer's meter at least once every twelve months. Any arrangements made with a customer in regards to obtaining an actual reading shall be made by phone or mailed notice. Meter readings taken by electronic means (i.e., automated meter reading equipment) shall be considered actual readings. When billing customers based on estimated usage, the Company shall calculate the amount due using the applicable rate(s) in effect during each period of estimated usage.

4. **Payment of Bills.** Bills shall be paid by the customer at any office of the Company during its regular business hours or to any one of the Company's authorized collecting agents during the regular office hours of such agent. Any remittance received by mail at any office of the Company bearing U.S. Postal Office cancellation date corresponding with or previous to the last date on which said bill is payable "net" will be accepted as within the net payment period. Payments received within twenty-five (25) days of the mailing date of the bill will be considered as being paid on time.
5. **Removal of Service by Company.** At the option of the Company, the Company shall have the right to shut off the gas and to remove its property from the customer's premises and to demand immediate payment for all gas theretofore delivered to the customer and not paid for, which amount shall become due and payable immediately upon demand, when the customer vacates the premises.
6. **Bill Format and Billing Procedure.** The Company's policy on bill format and billing procedure shall comply with the guidelines established by the Public Utilities Commission (Ohio Administrative Code Section 4901:1-13-11 and Ohio Revised Code, Section 4905.30) as amended from time to time.
7. **Initial and Final Meter Readings.** When service is terminated for any reason, the Company will render a final bill addressed to the customer's forwarding address, if known, or to the

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AND SALE OF GAS

last known address, for the entire balance of the account, including a bill calculation from the last reading date to the requested final bill date. Customer may require that the Company attempt to obtain an actual final meter reading. However, with customer approval, the Company may estimate the reading for the final bill date, or allow the customer to provide the final meter read, subject to the Customer's review for reasonableness, and if necessary actual reading.

When the Customer begins use of service, an initial bill is normally rendered for the period from the initial date of service to the first regular meter reading date, this period normally being less than thirty (30) days, except no bill is rendered if the period is less than three (3) days. However, Customer's usage for that unbilled period will be included, and billed, in the next month's bill. The Company may estimate the reading for the initial date of service. However, upon customer request, the Company will attempt to obtain an actual reading for the initial date of service or allow the customer to provide the initial meter read.

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SECTION IV - PHYSICAL PROPERTY

1. Service Lines. The general term "service pipe" or "service line" is commonly used to designate the complete line or connection from the Company main up to and including the meter connection. It consists of two distinct parts, (a) the service line connection, and (b) the customer service line.
 - (a) Service Line Connection

The service line connection consists of the connection at the main, necessary pipe and appurtenances to extend to the property line or the curb cock location, curb cock, and curb box. This connection shall be made by the Company, or its representative, without cost to the customer and it remains the property of the Company.
 - (b) Customer Service Line

The customer service line consists of the pipe from the outlet to the curb cock to the including the meter connection. The customer shall own the customer service line. The Company shall have the right to prescribe the size, location, and termination points of the customer's service line. The Company shall not provide or pay, directly or indirectly, the cost of customer service lines when competing with another regulated natural gas company, unless such company offers to provide or pay for customer service lines, directly or indirectly, or unless such assistance is essential to induce a prospective customer to utilize natural gas rather than an alternate source of energy.
2. 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 necessary.
3. Meter Location. The Company shall determine the location of the meter.

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When changes in a building or arrangements 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.

4. 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.
5. House Piping. The customer shall install and maintain, at the customer's expense, the house piping from the outlet of the meter to gas-burning appliances. The Company shall have no obligation to install, maintain, or repair said piping.
6. Appliances. The customer shall own and maintain all as-burning appliances. The company shall have no obligation to install, maintain, or repair appliances.
7. Standards for Customer's Property. The customer's service line, house lines, 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 demonstrate 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 premises, including both service lines and house lines, shall be without charge. In the case of leak, error, patent defect, or other unsatisfactory condition resulting in the disapproval of the line by the Company, the necessary correction shall be made at the customer's expense and then the lines will be inspected and tested again by the Company. Each additional inspection and test when required after correction shall be subject to a charge of twenty-five dollars (\$25.00) covering the cost thereof.

8. Discontinuance of Supply on Notice of Defect in Customer's Property. If the customer's service line, other gas lines, fittings, valves, connection, 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 it of such appliance or equipment or to such service line or such

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RULES AND REGULATIONS GOVERNING THE DISTRIBUTION
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other gas lines until such defect or condition has been rectified by the customer, in compliance with the reasonable requirements of the Company.

9. No Responsibility for Material or Workmanship. In accordance with Ohio Administrative Code, Section 4901:1-16, the Company is not responsible for maintenance of, or any imperfect material or defective or faulty workmanship in the customer's house lines, fittings, valve connections, equipment, or appliances and is not responsible for any loss or damage arising from inadequate or improper maintenance or from imperfect material or defective or faulty workmanship, unless work was performed by the Company's employees, and the Company received payment for such work performed.
10. 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.
11. 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. 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 footage 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 during the preceding calendar year. The sum so deposited shall be subject 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 refunds shall be paid after the expiration of seven (7) years from the date of the agreement.

In lieu of the deposit arrangement described above, the Company may offer the Applicant a monthly payment option in connection with requested main extensions which exceed the 100 foot per customer entitlement. An Applicant electing the monthly payment option will be billed over seven (7) years or until the cost of the main extension has been

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BRAINARD GAS CORP.

P.U.C.O. No. 1, First Revised Sheet No. 17

RULES AND REGULATIONS GOVERNING THE DISTRIBUTION
AND SALE OF GAS

recognized in the Company's base rates, whichever period is shorter. The monthly payment shall be calculated to reflect the amount necessary to compensate the company for the embedded cost of service associated with the main extension. The embedded cost of service will be determined based on the statutory ratemaking formula as applied by the Commission and will include operation and maintenance expense (including taxes), depreciation, and a fair rate of return on the investment in the property in question. Credits to the Applicant for additional customers connecting directly to the main extension will be based on the embedded cost of the 100 foot entitlement extension footage and will be reflected on the Applicant's monthly bill at the time the additional customer connects to the main extension; provided, however, that the total credits shall not exceed the Applicant's monthly payment obligation. No credits for additional customers will be issued after seven (7) years from the date of the completion of the main extension.

The monthly payment obligation shall remain with the premises and shall be binding on successor customers at the location in question. The Applicant will be required to so advise all prospective and successor customers at the location. The monthly payment obligation shall be considered part of the utility bill and the rules and regulations governing disconnection for non-payment apply to non-payment of the monthly payment obligation. Notwithstanding the termination of commodity service, the initial customer's monthly payment obligation for the main extension shall continue until service is reestablished in the name of a successor customer.

The monthly payment obligation will be extended only to an Applicant that is an end-user customer. The Company is not required to offer the monthly payment option when, in its sole discretion, it determines that offering the option would expose the Company to undue financial risk. The Company is not precluded from making main extensions under different arrangements.

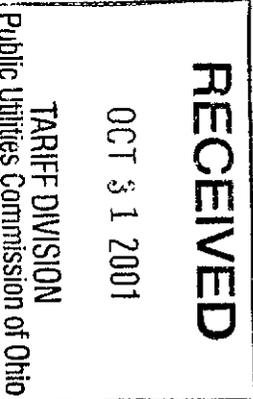
Where a main extension is necessary to provide service availability to plots of lots or real estate subdivisions and such main extension is not deemed justified at the Company's expense, the owners or promoters of such plots of lots or real estate subdivisions may enter into a line extension agreement 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

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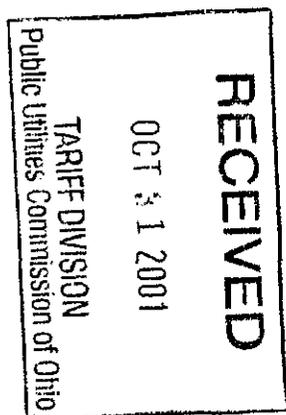
RULES AND REGULATIONS GOVERNING THE DISTRIBUTION
AND SALE OF GAS

vide customer connected to the extension but not to laterals therefrom or to further extensions thereof. No refunds shall be paid after the expiration of seven (7) 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 or applicants 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 refund shall be determined by multiplying such incremental volumes by the applicable base rates. No refunds shall be paid after the expiration of (7) 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.



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SECTION V - TRANSPORTATION SERVICE

1. Applicability. Applicable to all customers of the Company who purchased natural gas from another supply source and request Company to transport such gas. Company shall transport gas on a non-discriminatory basis subject to the capacity of its facilities to customers who desire to enter into contractual arrangements for the transportation of natural gas in compliance with the "SELF-HELP PROGRAM GUIDELINES" appended to Commission Order 85-800.

2. Transportation Service. Company shall offer transportation service on either a firm or fully interruptible basis on a first-come, first-served basis.

(a) Firm service arrangements

Company shall include provision for the reservation of capacity in Company's facilities, subject to Company's determination that rendering said service would not be detrimental to meeting the needs of general service customers, existing firm transportation customers, or the operation of said facilities.

(b) Interruptible service arrangements

Company shall use its "best efforts" to deliver all gas for redelivery. Company will only interrupt or curtail the redelivery or transportation of gas when, in the judgment of Company, such curtailment or interruption is necessary to maintain deliveries to high priority customers or to respond to an emergency.

Storage services, banking services, or pooling services are not presently available, and therefore are not offered. All transportation customers must warrant that they have good title to the gas to be transported, and that the gas delivered for transportation is of pipeline quality.

As Company is offering a transportation service, it shall not be responsible for interruptions in customer sources of supply.

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RULES AND REGULATIONS GOVERNING THE DISTRIBUTION
AND SALE OF GAS

3. Rates. The stated rate for firm transportation is two dollars and thirty cents (\$2.30) per 1,000 cubic feet (Mcf) of gas transported and the stated rate for interruptible transportation is two dollars and ten cents (\$2.10) per 1,000 cubic feet (Mcf) of gas transported. These rates are subject to the Ohio Gross Receipts Tax Recovery Rate set forth on Original Sheet No. 4. Transportation service is offered on a non-discriminatory basis.

The Company may flex down from its stated rate however, the Company will not flex below its actual system specific cost of providing the respective transportation service.

Any transportation arrangement that falls outside of the stated rate and/or flex down rate will be treated as a "Special Arrangement" and as such shall be presented to the Commission for specific approval.

Meter reading, billing, and related administrative costs when applicable shall be specifically disclosed in each arrangement.

4. Late Payment Charge. Payment of the total amount due shall be received in Company's office by the due date shown on the bill. When not so paid, an additional amount equal to one and one-half percent (1.5%) of the unpaid balance is due and payable.
5. Terms and Conditions. Payment of the total amount due shall be received in Company's office by the later of two weeks after mailing or the due date shown on the bill. When not so paid, a penalty amount equal to one and one-half percent (1.5%) of the unpaid balance is due and payable.

The Customer shall enter into a written agreement with Company. Such agreement shall set forth the specific arrangements between Customer and Company, all of which shall be in conformance with Commission Order 85-800.

The Customer shall be responsible to make all necessary arrangements and secure all requisite regulatory or governmental approvals, certificates, or permits to enable the transported gas to be delivered to Company's facilities.

The supplying of, and billing for, service and all conditions applying thereto are subject to the jurisdiction of the Public Utilities Commission of Ohio.

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SECTION VI - GENERAL

1-6. General Information

1. These rules 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.
2. The Company reserves the right to modify, alter or amend the foregoing rules and regulations and to make such further and other rules and regulations as experience may suggest and as the Company may deem necessary or convenient in the conduct of its business. Said new or amended rules and regulations are to become effective, and will be added to the Company's tariff, only after submission to and approval by The Public Utilities Commission of Ohio.
3. All of the foregoing rules and regulations shall apply to living units located in mobile home parks or similar installations. This shall apply particularly with regard to those sections of the rules and regulations dealing with, and setting standards for, piping within such living units and the venting of all appliances in which gas is used or burned.
4. Nothing contained in the Company's tariffs shall relieve the Company of its duties and obligations under the Natural Gas Pipeline Safety Act of 1968 as amended, 49 USCA App. 1671 et seq., 49 C.F.R. Part 192 and all applicable federal regulations, and Chapter 4901:1-16 of the Ohio Administrative Code. All customers will come under the standards for gas piping and appliance venting on customer's premises.
5. These rules and regulations shall not apply during periods of shortage in the supply of natural gas available to the Company, to the extent that compliance by the Company with such rules and regulations is precluded by the shortage in supply. During periods of shortage of supply to the Company, restrictions on new service and curtailment of existing service shall be governed by such other rule of general or specific applicability as may be approved by The Public Utilities Commission of Ohio.

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AND SALE OF GAS

6. 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.

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