



CITY OF KENT, OHIO

DEPARTMENT OF COMMUNITY DEVELOPMENT

DATE: May 28, 2009

RE: Proposed Rules and Policies governing the enforcement of Section 521.15 of the Kent Codified Ordinances as it pertains to the amended ordinance governing snow removal from Public Sidewalks abutting private property

ISSUED BY: Gene Roberts, Director of Public Service and Gary Locke,
Community Development Director

The following draft rules and policies are provided in order to discuss procedures for enforcing Section 521.15 of the Kent Codified Ordinances when and if amended by Kent City Council. The section to be modified of the codified ordinances of the City of Kent will require the removal of snow from public sidewalks which abut private properties in the City of Kent.

Responsibilities

The Director of Public Service and the Community Development Director shall jointly issue rules and policies governing the enforcement of KCO 521.15 and may amend these procedures from time to time as warranted with the review and approval of Kent City Council. The same individuals may designate staff within their respective departments, as the need arises, to assist with the enforcement of these rules and regulations. Those persons so designated are authorized to enforce KCO Section 521.15 following the rules and policies as approved by Kent City Council.

Each property owner shall be responsible for the removal of snow and the treatment of ice on public sidewalks which abut their property.

Enforceable Events

Whenever 2.0" or greater of snow accumulates on a public sidewalk and/or the City has issued a cancellation notice of a snow parking ban within the City, the requirements of KCO 521.15 shall be enforced in accordance with the ordinance and the approved rules and policies. There is no time period designated in which the snow is required to fall and/or accumulate before an enforcement action occurs. When complaints are received or after the Snow Parking Ban has been declared and then cancelled by the Director of Public Service enforcement will begin.

Sidewalk Snow Removal Rules and Policies

Required Actions by Property Owners et al

Whenever the City issues a Snow Parking Ban and/or two inches of snow has accumulated on the sidewalk, immediate action shall be taken by the property owner to clear all the public sidewalks along their property frontage (including those properties with two or more front yards and/or corner lots) of snow and ice. If the ice cannot be removed from these areas shall apply a deicing agent to the sidewalk areas. Any snow being removed from the sidewalk shall not be deposited in a manner where it is moved into a street or street gutter which has already been plowed. At the time that the Snow Parking Ban is officially cancelled or complaints have been received by the City, the City may cause any snow or ice not cleared from the public sidewalk to be removed at the owner's expense, without further notice.

Enforcement Zones

For the purpose of prioritizing enforcement in critical areas, the City has established primary, secondary and tertiary enforcement zones. Maps of these areas shall be provided on the City of Kent's internet website, publicized in the City's Tree City Bulletin, and will be made available to the general public when specifically requested. Enforcement will start in the primary areas first (by complaint and then by discovery) and then be started in secondary areas (by complaint and then by discovery). The tertiary enforcement area will include all areas of the city not included in the primary and secondary enforcement areas (by complaint and then by discovery).

Cost of Removal Fees / Administrative Fees

The actual expense charged by the City's contractor and paid by the City for the removal of the snow / ice will be billed to the property owner. In addition to the actual expense for removal, an additional administrative fee of \$25 per event will be charged. The administrative fee shall be increased an additional \$25 for each event of non-compliance within a 12 month period, beginning from the date of the first occurrence within that period. For example, the administrative fee for the third occurrence within a 12 month period would be \$75.00. Any fees not paid within 30 days of the date of invoice will be billed for collection on either the water bill or the property taxes in a manner permitted by law.

Medical Exemption / Elderly Exemption

The City will grant a medical exemption to any residential property owner that provides verification that a medical condition / disability prohibits the residential property owner from removing snow / ice from the public sidewalks along the property frontage. Any residential property owner eligible to apply for the medical exemption must be the owner of the property and use the property as his/her primary residence for a minimum of ten (10) months out of a twelve (12) month calendar year period. Any property owner seeking a medical exemption must complete and submit an application form provided by the City. The application form requires that a written prescription, signed and dated by the applicant's physician or chiropractor, be attached to the application. The

Sidewalk Snow Removal Rules and Policies

residential property owner applying for the medical exemption will certify on the application form that no other person resides at the property who can remove snow / ice from the public sidewalks along the property frontage.

The City will arrange for a volunteer to remove snow / ice from the public sidewalks along the property frontage of any residential property owner granted a medical exemption by the City when snow removal is required as stipulated in KCO 521.15.

Snow Removal (Non-Compliance)

The City shall contract for the removal of snow from public sidewalks in accordance with City bidding and financial requirements to address snow and ice removal from non-compliant sidewalks. The contractor(s) providing this service to the city may remove snow/ice from public sidewalks once the Snow Parking Ban has been cancelled or upon receipt of a complaint, without notice to the property owner, as directed by the City's contracting authority.

The contractor shall provide a picture of the sidewalk area before plowing and after plowing. The picture shall be in digital format with the date and time that the picture was taken visible on the image; such pictures may be transmitted electronically to the City. Pictures shall include reference points such as structures or other distinguishing points to document the property in noncompliance.

The City's Contractor shall not clear public sidewalks as a part of this program without authorization of the City. Upon direction by the City the Contractor shall respond to the location identified by the City as quickly as possible but in no case past four hours from the time the City authorized and directed the Contractor to clear the sidewalk, except in the event that the Contractor is working non-stop attempting to clear sidewalks for the City. In the event the Contractor arrives at the property and finds that the sidewalk has been cleared the Contractor shall bill the City the amount bid for mobilization. The Contractor shall invoice the City within five business days from the date the work was complete for his mobilization costs bid and the depth of snow removed. The City shall multiply the unit price bid by the Contractor for the depth of snow removed times the Portage County Recorders front footage of record and add this amount to the Contractor's unit bid price for mobilization. No invoice shall be considered without approved digital images identifying the residence prior and after snow removal and the depth of snow removed.

The property owner will be billed for the Contractor's cost of mobilization and total frontage of sidewalk cleared on the basis of the lineal feet of sidewalk and the depth of the snow removed plus the administrative cost charged by the City.

Kent Codified Ordinance Chapter 521.15

Snow and Ice Removal

- (a) Each property owner shall be responsible for the removal of snow and the treatment of ice on public sidewalks which abut their property. Ultimately, the property owner is responsible for making sure that the property is in compliance with this Section and its subsections even if the owner by designation requires by agreement, the tenant, legal occupant or other responsible party to remove snow and ice from the walk.
- (b) **Enforceable Events:** Whenever accumulation of snow of 2.0" or greater is present on the public sidewalk the requirements of KCO 521.15 shall be enforced in accordance with the ordinance and the rules and policies established by City Council for its enforcement. There is no time period designated in which the snow is required to fall.
- (c) Whenever there is 2.0" or greater accumulation of snow on a public sidewalk immediate action is to be taken by the property owner to clear all public sidewalks along their property frontage (including properties with two or more front yards and/or corner lots) of snow and ice. If the ice cannot be removed from these areas, the owner shall apply deicing agents to the sidewalk areas. Any snow being removed from the sidewalk shall not be deposited in a manner where it is moved into a street or gutter which has already been plowed. At the time that 2.0" or greater of snow or ice of any depth has accumulated on a public sidewalk the City may cause any snow or ice not cleared from the public sidewalk to be cleared at the owner's expense, without further notice.
- (d) The actual expense for the removal of the snow / ice will be billed to the property owner. In addition to the actual expense for removal, an additional administrative fee of \$25 per sidewalk cleaning will be charged. The administrative fee may be increased an additional \$25 for each event of non-compliance within a 12 month period, beginning from the date of the first occurrence within that period. Any fees not paid within 30 days of the date of invoice will be billed for collection on either the property owner's utility bill or the property taxes for the parcel of land at the City's discretion in the manner permitted by law.

Sidewalk Snow Removal

			30%	40%	50%	60%	70%
	No. of	Total	Of Total	Of Total	Of Total	Of Total	Of Total
	Events	SW	SW	SW	SW	SW	SW
Events per November December	1	\$ 49,543	\$ 14,863	\$ 19,817	\$ 24,772	\$ 29,726	\$ 34,680
Primary Routes Only	2	\$ 99,086	\$ 29,726	\$ 39,634	\$ 49,543	\$ 59,452	\$ 69,360
	3	\$ 148,629	\$ 44,589	\$ 59,452	\$ 74,315	\$ 89,177	\$ 104,040
	4	\$ 198,172	\$ 59,452	\$ 79,269	\$ 99,086	\$ 118,903	\$ 138,720
	5	\$ 247,715	\$ 74,315	\$ 99,086	\$ 123,858	\$ 148,629	\$ 173,401
	No. of	Total	Of Total	Of Total	Of Total	Of Total	Of Total
	Events	SW	SW	SW	SW	SW	SW
Events per January, February March	6	\$ 297,258	\$ 89,177	\$ 118,903	\$ 148,629	\$ 178,355	\$ 208,081
Primary Routes Only	7	\$ 346,801	\$ 104,040	\$ 138,720	\$ 173,401	\$ 208,081	\$ 242,761
	8	\$ 396,344	\$ 118,903	\$ 158,538	\$ 198,172	\$ 237,806	\$ 277,441
	9	\$ 445,887	\$ 133,766	\$ 178,355	\$ 222,944	\$ 267,532	\$ 312,121
	10	\$ 495,430	\$ 148,629	\$ 198,172	\$ 247,715	\$ 297,258	\$ 346,801
	No. of	Total	Of Total	Of Total	Of Total	Of Total	Of Total
	Events	SW	SW	SW	SW	SW	SW
Events per November December	1	\$ 50,096	\$ 15,029	\$ 20,038	\$ 25,048	\$ 30,057	\$ 35,067
Secondary Routes Only	2	\$ 100,191	\$ 30,057	\$ 40,076	\$ 50,096	\$ 60,115	\$ 70,134
	3	\$ 150,287	\$ 45,086	\$ 60,115	\$ 75,143	\$ 90,172	\$ 105,201
	4	\$ 200,382	\$ 60,115	\$ 80,153	\$ 100,191	\$ 120,229	\$ 140,267
	5	\$ 250,478	\$ 75,143	\$ 100,191	\$ 125,239	\$ 150,287	\$ 175,334
	No. of	Total	Of Total	Of Total	Of Total	Of Total	Of Total
	Events	SW	SW	SW	SW	SW	SW
Events per January, February March	6	\$ 300,573	\$ 90,172	\$ 120,229	\$ 150,287	\$ 180,344	\$ 210,401
Secondary Routes Only	7	\$ 350,669	\$ 105,201	\$ 140,267	\$ 175,334	\$ 210,401	\$ 245,468
	8	\$ 400,764	\$ 120,229	\$ 160,306	\$ 200,382	\$ 240,458	\$ 280,535
	9	\$ 450,860	\$ 135,258	\$ 180,344	\$ 225,430	\$ 270,516	\$ 315,602
	10	\$ 500,955	\$ 150,287	\$ 200,382	\$ 250,478	\$ 300,573	\$ 350,669
	No. of	Total	Of Total	Of Total	Of Total	Of Total	Of Total
	Events	SW	SW	SW	SW	SW	SW
Events per November December	1	\$ 99,639	\$ 29,892	\$ 39,855	\$ 49,819	\$ 59,783	\$ 69,747
Primary & Secondary Routes Only	2	\$ 199,277	\$ 59,783	\$ 79,711	\$ 99,639	\$ 119,566	\$ 139,494
	3	\$ 298,916	\$ 89,675	\$ 119,566	\$ 149,458	\$ 179,349	\$ 209,241
	4	\$ 398,554	\$ 119,566	\$ 159,422	\$ 199,277	\$ 239,132	\$ 278,988
	5	\$ 498,193	\$ 149,458	\$ 199,277	\$ 249,096	\$ 298,916	\$ 348,735
	No. of	Total	Of Total	Of Total	Of Total	Of Total	Of Total
	Events	SW	SW	SW	SW	SW	SW
Events per January, February March	6	\$ 597,831	\$ 179,349	\$ 239,132	\$ 298,916	\$ 358,699	\$ 418,482
Primary & Secondary Routes Only	7	\$ 697,470	\$ 209,241	\$ 278,988	\$ 348,735	\$ 418,482	\$ 488,229
	8	\$ 797,108	\$ 239,132	\$ 318,843	\$ 398,554	\$ 478,265	\$ 557,976
	9	\$ 896,747	\$ 269,024	\$ 358,699	\$ 448,373	\$ 538,048	\$ 627,723
	10	\$ 996,385	\$ 298,916	\$ 398,554	\$ 498,193	\$ 597,831	\$ 697,470

Sidewalk Snow Removal

PRIMARY							
	Cent.Ln.	SW	30%	40%	50%	60%	70%
N-S (SR 43) Length No. 1	17,541	35,082	10,525	14,033	17,541	21,049	24,557
N-S (SR 43) Length No. 2	3,175	6,350	1,905	2,540	3,175	3,810	4,445
Total North South	20,716	41,432	12,430	16,573	20,716	24,859	29,002
EW (SR 59 & W Main) Length No. 1	17,394	34,788	10,436	13,915	17,394	20,873	24,352
Total Primary Length	38,110	76,220	22,866	30,488	38,110	45,732	53,354
SECONDARY							
	Cent.Ln.	SW	30%	40%	50%	60%	70%
Fairchild	9,458	18,916	5,675	7,566	9,458	11,350	13,241
Hudson	3,713	7,426	2,228	2,970	3,713	4,456	5,198
Crain	4,669	9,338	2,801	3,735	4,669	5,603	6,537
Lake	5,703	11,406	3,422	4,562	5,703	6,844	7,984
Water	1,480	2,960	888	1,184	1,480	1,776	2,072
Haymaker	1,730	3,460	1,038	1,384	1,730	2,076	2,422
Summit	2,459	4,918	1,475	1,967	2,459	2,951	3,443
Franklin	6,078	12,156	3,647	4,862	6,078	7,294	8,509
Cherry	3,245	6,490	1,947	2,596	3,245	3,894	4,543
Total Secondary Length	38,535	77,070	23,121	30,828	38,535	46,242	53,949
Total City Sidewalks (from SW data base)		422,735					
Total Primary Length		76,220					
Total Secondary Length		77,070					
Balance of City		269,445	80,834	107,778	134,723	161,667	188,612
Bowling Green \$65 each say 100 ft. of SW = \$0.65/ft.			30%	40%	50%	60%	70%
		Total	Of Total	Of Total	Of Total	Of Total	Of Total
		SW	SW	SW	SW	SW	SW
Total Primary Length per event		\$ 49,543	\$ 14,863	\$ 19,817	\$ 24,772	\$ 29,726	\$ 34,680
Total Secondary Length per event		\$ 50,096	\$ 15,029	\$ 20,038	\$ 25,048	\$ 30,057	\$ 35,067
Balance of City per event		\$ 175,139	\$ 52,542	\$ 70,056	\$ 87,570	\$ 105,084	\$ 122,597
Total Funding Needed City Wide		\$ 274,778	\$ 82,433	\$ 109,911	\$ 137,389	\$ 164,867	\$ 192,344

**City of Kent
Income Tax Division**

May 31, 2009

Income Tax Receipts Comparisons - RESTATED - (NET of Refunds)

Monthly Receipts

Total receipts for the month of May, 2009	\$988,003
Total receipts for the month of May, 2008	\$749,292
Total receipts for the month of May, 2007	\$697,113

Year-to-date Receipts and Percent of Total Annual Receipts Collected

	<u>Year-to-date Actual</u>	<u>Percent of Annual</u>
Total receipts January 1 through May 31, 2009	\$4,642,451	
Total receipts January 1 through May 31, 2008	\$4,604,333	42.98%
Total receipts January 1 through May 31, 2007	\$4,513,635	42.82%

Year-to-date Receipts Through May 31, 2009 - Budget vs. Actual

<u>Year</u>	<u>Annual Budgeted Receipts</u>	<u>Revised Budgeted Receipts</u>	<u>Year-to-date Actual Receipts</u>	<u>Percent Collected</u>	<u>Percent Remaining</u>
2009	\$ 11,100,000	\$ 11,100,000	\$ 4,642,451	41.82%	58.18%

Comparisons of Total Annual Receipts for Previous Five Years

<u>Year</u>	<u>Total Receipts</u>	<u>Percent Change From Prior Year</u>
2004	\$ 9,581,902	-1.22%
2005	\$ 10,188,261	6.33%
2006	\$ 10,151,202	-0.36%
2007	\$ 10,540,992	3.84%
2008	\$ 10,712,803	1.63%

Submitted by _____, Director of Budget and Finance - Interim

2009 CITY OF KENT, OHIO
Comparison of Income Tax Receipts
for Month Ended May 31, 2009

Month	Monthly Receipts			Comparisons	
	2007	2008	2009	Amount	Percent Change
January	\$ 987,236	\$ 1,012,461	\$ 731,968	\$ (280,493)	-27.70%
February	762,422	782,239	1,083,705	301,466	38.54%
March	735,480	852,617	845,720	(6,897)	-0.81%
April	1,331,384	1,207,724	993,055	(214,669)	-17.77%
May	697,113	749,292	988,003	238,711	31.86%
June	798,916	848,840			
July	964,849	921,824			
August	772,227	757,111			
September	773,661	827,748			
October	1,027,516	960,601			
November	766,989	887,150			
December	923,199	905,196			
Totals	\$ 10,540,992	\$ 10,712,803	\$ 4,642,451		

Month	Year-to-Date Receipts			Comparisons	
	2007	2008	2009	Amount	Percent Change
January	\$ 987,236	\$ 1,012,461	\$ 731,968	\$ (280,493)	-27.70%
February	1,749,658	1,794,700	1,815,673	20,973	1.17%
March	2,485,138	2,647,317	2,661,393	14,076	0.53%
April	3,816,522	3,855,041	3,654,448	(200,593)	-5.20%
May	4,513,635	4,604,333	4,642,451	38,118	0.83%
June	5,312,551	5,453,173			
July	6,277,400	6,374,997			
August	7,049,627	7,132,108			
September	7,823,288	7,959,856			
October	8,850,804	8,920,457			
November	9,617,793	9,807,607			
December	10,540,992	10,712,803			
Totals	\$ 10,540,992	\$ 10,712,803			

2009 CITY OF KENT, OHIO
Comparison of Income Tax Receipts from Kent State University
for Month Ended May 31, 2009

Month	Monthly Receipts			Comparisons	
	2007	2008	2009	Amount	Percent Change
January	\$ 314,973	\$ 328,155	\$ 344,562	\$ 16,407	5.00%
February	286,113	304,739	346,922	42,183	13.84%
March	307,993	359,268	344,275	(14,993)	-4.17%
April	342,472	324,465	346,865	22,400	6.90%
May	308,937	321,356	340,901	19,545	6.08%
June	304,326	321,029			
July	281,361	304,548			
August	302,157	320,946			
September	282,966	306,590			
October	321,719	341,832			
November	326,890	342,612			
December	328,024	343,999			
Totals	\$ 3,707,931	\$ 3,919,539	\$ 1,723,525		

Month	Year-to-Date Receipts			Comparisons	
	2007	2008	2009	Amount	Percent Change
January	\$ 314,973	\$ 328,155	\$ 344,562	\$ 16,407	5.00%
February	601,086	632,894	691,484	58,590	9.26%
March	909,079	992,162	1,035,759	43,597	4.39%
April	1,251,551	1,316,627	1,382,624	65,997	5.01%
May	1,560,488	1,637,983	1,723,525	85,542	5.22%
June	1,864,814	1,959,012			
July	2,146,175	2,263,560			
August	2,448,332	2,584,506			
September	2,731,298	2,891,096			
October	3,053,017	3,232,928			
November	3,379,907	3,575,540			
December	3,707,931	3,919,539			
Totals	\$ 3,707,931	\$ 3,919,539			

2009 CITY OF KENT, OHIO
Comparison of Income Tax Receipts from Kent State University
for Month Ended May 31, 2009

Comparisons of Total Annual Receipts for Previous Five Years

<u>Year</u>	<u>Total Receipts</u>	<u>Percent Change</u>
2004	\$ 3,371,065	2.50%
2005	\$ 3,452,767	2.42%
2006	\$ 3,542,080	2.59%
2007	\$ 3,707,931	4.68%
2008	\$ 3,919,539	5.71%



May 29, 2009

To Parties in Case Nos. 07-829-GA-AIR, *et al.*:

On October 15, 2008, the Public Utilities Commission of Ohio (PUCO) approved an increase in Dominion East Ohio's (Dominion) rates and charges for service in Case Nos. 07-829-GA-AIR et al. In its order authorizing the increase, the PUCO also approved a tariff to recover certain costs associated with a pipeline infrastructure replacement (PIR) program and approved Dominion's request to assume ownership of, and responsibility for, curb-to-meter service lines as Dominion installs, repairs, ties in, or replaces them. At that time, the PIR Cost Recovery Charge was set to zero, subject to a subsequent application in which Dominion would seek PUCO approval for an initial adjustment to the charge to recover the incremental costs associated with the program.

Today, Dominion notified the PUCO that it will file an application in Case No. 08-169-GA-ALT to amend the PIR Cost Recovery Charge in August 2009. As required by the PUCO, Dominion is filing a pre-filing notice containing estimated schedules for costs that will be incurred for the fiscal year ending June 30, 2009. No charge will be implemented until the PUCO has analyzed and audited the schedules contained in the August filing and approves charges based on its review. That process is not expected to be completed until the fourth quarter of this year.

Dominion has estimated the levels of the PIR Cost Recovery Charge based upon an allocation of the program cost as approved by the PUCO. Because the pre-filing notice is based on information that will be updated with actual data in the August application, the final rates approved by the PUCO may differ from the estimated rates shown below. The PIR Cost Recovery Charge for the General Sales Service and Energy Choice Transportation Service rate schedules is capped at \$1.12 per month. The corresponding maximum rates for other rate schedules are also shown in the table below:

	<u>Estimated Rate</u>	<u>Maximum Rate</u>
General Sales Service and Energy Choice Transportation Service	\$0.85 per month	\$1.12 per month
Large Volume General Sales Service and Large Volume Energy Choice Transportation Service	\$11.81 per month	\$15.56 per month
General Transportation Service and Transportation Service for Schools	\$37.81 per month	\$49.82 per month
Daily Transportation Service	\$0.0163 per Mcf up to \$1,000 per month	\$0.0215 per Mcf up to \$1,000 per month

Dominion's replacement of older vintage pipelines and its ongoing investment in pipeline infrastructure will enable us to continue providing safe and reliable natural gas service, which benefits our customers and other important stakeholders. Thank you for your attention to this important matter.

Sincerely,

Vicki H. Friscic
Director Regulatory and Pricing



Dominion East Ohio
1201 East 55th Street, Cleveland, OH 44103
Mailing Address: P.O. Box 5759
Cleveland, OH 44101-0759
Web Address: www.dom.com
Robert W. Varley
Managing Director, State & Local Affairs



May 29, 2009

Dear Public Official:

On October 15, 2008 the Public Utilities Commission of Ohio (PUCO) approved an increase in Dominion East Ohio's (Dominion) rates and charges for service. In its order authorizing the increase, the PUCO also approved a tariff to recover certain costs associated with a pipeline infrastructure replacement (PIR) program and approved Dominion's request to assume ownership of, and responsibility for, curb-to-meter service lines as Dominion installs, repairs, ties in, or replaces them. At that time, the PIR Cost Recovery Charge was set to zero, subject to a subsequent application in which Dominion would seek PUCO approval for an initial adjustment to the charge to recover the incremental costs associated with the program.

Today, Dominion notified the PUCO that it will file an application to amend the PIR Cost Recovery Charge in August 2009. As required by the PUCO, Dominion is filing a pre-filing notice containing estimated schedules for costs that will be incurred for the fiscal year ending June 30, 2009. No charge will be implemented until the PUCO has analyzed and audited the schedules contained in the August filing and approves charges based on its review. That process is not expected to be completed until the fourth quarter of this year.

Dominion has estimated the levels of the PIR Cost Recovery Charge based upon an allocation of the program cost as approved by the PUCO. Because the pre-filing notice is based on information that will be updated with actual data in the August application, the final rates approved by the PUCO may differ from the estimated rates shown below. The PIR Cost Recovery Charge for the General Sales Service and Energy Choice Transportation Service rate schedules is capped at \$1.12 per month. The corresponding maximum rates for other rate schedules are also shown in the table below:

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General Transportation Service and Transportation Service for Schools	\$37.81 per month	\$49.82 per month
Daily Transportation Service	\$0.0163 per Mcf up to \$1,000 per month	\$0.0215 per Mcf up to \$1,000 per month

Dominion's replacement of older vintage pipelines and its ongoing investment in pipeline infrastructure will enable us to continue providing safe and reliable natural gas service to our more than one million customers. Because Dominion is now responsible for curb-to-meter service lines, customers no longer face the prospect of large unanticipated outlays for repairing those lines should it become necessary. We appreciate the opportunity to serve your community and look forward to answering any questions you may have regarding this notice. If you have any questions or need more information, please contact me at Robert.W.Varley@dom.com or (216) 736-6207, or your local affairs representative – Rose Dziak at Rose.P.Dziak@dom.com or (216) 736-6201, Ty McBee at Ty.C.McBee@dom.com or (216) 736-6213, Tracy Stevens at Tracy.W.Stevens@dom.com or (330) 478-3104, or Peggy Ehora at Peggy.A.Ehora@dom.com or (419) 226-4866.

Sincerely,

THE EAST OHIO GAS COMPANY d/b/a DOMINION EAST OHIO**BRIEF SUMMARY OF PROPOSED ALTERNATIVE RATE PLAN**

By filing this Notice of Intent, DEO seeks implementation of the pipeline infrastructure replacement (“PIR”) alternative rate plan approved by the Commission in Case Nos. 08-169-GA-ALT, *et al.* (See Case Nos. 08-169-GA-ALT, *et al.*, Op. and Order, pp. 9-10 (Oct. 15, 2008).) In the Opinion and Order, the Commission approved a PIR Cost Recovery Charge through which DEO will recover certain costs associated with DEO’s PIR program, which facilitates the accelerated replacement, maintenance and repair of aging pipelines and related infrastructure. Specifically, through the PIR Cost Recovery Charge, DEO seeks to recover incremental costs and a return associated with:

- Replacement of 4,122 miles of aging bare steel, cast-iron, wrought-iron and copper mainlines and ineffectively-coated bare steel, as well as certain segments of plastic pipeline;
- Replacement of 515,000 main-to-curb connections, which connect curb-to-meter service lines with a mainline;
- Installation of new curb-to-meter service lines and the costs associated with maintenance, repair and/or replacement of existing curb-to-meter service lines that are separated from the mainline and must be pressure tested, or those that are unsafe or leaky; and
- Certain on-going pipeline infrastructure improvements, including pipeline relocations and system improvements (including those associated with upgrading low-pressure systems to higher pressure systems if inside meters are relocated outside), as well as the associated capital expenditures for main-to-curb connections, service lines, and transmission and distribution pipeline integrity.

As the Commission’s Staff has concluded, the PIR program ensures the reliability, quality and safety of DEO’s distribution service and therefore provides important benefits for customers. (Case No. 08-169-GA-ALT, Staff Report, p. 3 (June 12, 2008).) Because DEO has assumed responsibility for certain curb-to-meter service lines, the customers who owned those lines are no longer financially responsible for maintenance or replacement of those lines. (*Id.* at 2.) Moreover, DEO anticipates that it will realize savings in operation and maintenance expenses associated with leak repairs and corrosion monitoring activities. These savings will be credited to amounts that would otherwise be recovered through the PIR Cost Recovery Charge.

Dominion has estimated the levels of the PIR Cost Recovery Charge based upon an allocation of the program cost as approved by the Commission. Because the pre-filing notice is based on information that will be updated with actual data in the August application, the final rates approved by the Commission may differ from the estimated rates shown below. The PIR

Cost Recovery Charge for the General Sales Service and Energy Choice Transportation Service rate schedules is capped at \$1.12 per month. The corresponding maximum rates for other rate schedules are also shown in the table below:

	<u>Estimated Rate</u>	<u>Maximum Rate</u>
General Sales Service and Energy Choice Transportation Service	\$0.85 per month	\$1.12 per month
Large Volume General Sales Service and Large Volume Energy Choice Transportation Service	\$11.81 per month	\$15.56 per month
General Transportation Service and Transportation Service for Schools	\$37.81 per month	\$49.82 per month
Daily Transportation Service	\$0.0163 per Mcf, up to \$1,000 per month	\$0.0215 per Mcf, up to \$1,000 per month

**PIPELINE INFRASTRUCTURE REPLACEMENT (PIR)
COST RECOVERY CHARGE (ESTIMATED)**

APPLICABILITY

Applicable to all customers receiving service under the East Ohio's sales and transportation rate schedules.

PIR COST RECOVERY CHARGE

All customers receiving service under the following rate schedules shall be assessed a monthly charge, regardless of gas consumed, in addition to the otherwise applicable monthly service charge to recover the revenue requirement associated with East Ohio's pipeline infrastructure replacement program:

- General Sales Service ("GSS")
- Energy Choice Transportation Service ("ECTS")
- Large Volume General Sales Service ("LVGSS")
- Large Volumes Energy Choice Transportation Service ("LVECTS")
- General Transportation Service ("GTS")
- Transportation Service for Schools ("TSS")

Customers receiving service under the Daily Transportation Service ("DTS") rate schedule shall be assessed a volumetric charge in addition to their volumetric delivery charge for that purpose. The maximum monthly PIR Cost Recovery Charge for any DTS customer shall be \$1,000.00 per account.

The PIR Cost Recovery Charge shall be updated annually to reflect the impact on East Ohio's revenue requirements associated with pipeline infrastructure replacement expenditures as offset by corresponding operations and maintenance expense reductions during the most recent twelve months ended June 30. East Ohio shall file a notice no later than May 31 of each year based on nine months of actual data and three months of estimated data for the fiscal year. The filing shall be updated by no later than August 31 of the same year to reflect the use of actual fiscal year data. Such adjustments to the PIR Cost Recovery Charge shall become effective with bills rendered on and after November 1 of each year.

The charges for the respective gas service schedules are:

Rate Schedules GSS and ECTS	\$0.85/month
Rate Schedules LVGSS and LVECTS	\$11.81/month
Rate Schedules GTS and TSS	\$37.81/month
 Rate Schedule DTS:	 \$0.0163/Mcf

List of Communities Served By County**Allen County, OH**

Beaverdam Village
Bluffton Village
Cairo Village
Delphos
Elida Village
Fort Shawnee Village
Harrod Village
Lafayette Village
Lima
Spencerville Village
Westminster

Ashland County, OH

Lakeville
Loudonville

Ashtabula County, OH

Ashtabula
Ashtabula Township
Austinburg Township
Conneaut
Edgewood Township
Geneva
Geneva on the Lake Village
Geneva Township
Harpersfield Township
Jefferson
Jefferson Township
Jefferson Village
Kingsville Township
Lenox Township
Monroe Township
New Lyme Township
North Kingsville Township
Pierpont Township
Plymouth Township
Saybrook Township
Sheffield Township
Unionville

Auglaize County, OH

Cridersville Village
Kossuth
St. Marys
Wapakoneta

Belmont County, OH

Powhatan Point
York Township

Carroll County, OH

Carrollton
Leesville

Columbiana County, OH

East Palestine
Hanoverton
Kensington

Cuyahoga County, OH

Beachwood
Bedford
Bedford Heights
Bentleyville Village
Bratenahl Village
Brecksville
Broadview Heights
Brook Park
Brooklyn
Brooklyn Heights
Chagrin Falls Township
Chagrin Falls Village
Cleveland
Cleveland Heights
Cuyahoga Heights
East Cleveland
Euclid
Fairview Park
Garfield Heights
Gates Mills
Glenwillow Village

**Cuyahoga County, OH
(Cont.)**

Highland Heights
Highland Hills Village
Hunting Valley Village
Independence
Lakewood
Linndale Village
Lyndhurst
Maple Heights
Mayfield Heights
Mayfield Village
Moreland Hills Village
Newburgh Heights Village
North Olmsted
North Randall Village
Oakwood Village
Orange Village
Pepper Pike
Richmond Heights
Rocky River
Seven Hills
Shaker Heights
Solon
South Euclid
University Heights
Valley View Village
Walton Hills Village
Warrensville Heights
Woodmere Village

Fulton County, OH

Delta

Geauga County, OH

Auburn Township
Bainbridge
Bainbridge Township
Burton Township
Burton Village
Chardon Township
Chardon Village
Chester Township
Chesterland

Issued:

Effective:

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Bruce C. Klink, President

List of Communities Served By County

Geauga County, OH
(Cont.)

Claridon Township
Hambden Township
Huntsburg Township
Middlefield Township
Middlefield Village
Montville
Munson Township
Newbury Township
Novelty
Parkman Township
Russell Township
South Russell Village
Troy

Guernsey County, OH

Birmingham
Buffalo
Cambridge City
Jackson Township
Monroe Township
Valley Township
Westland Township

Hardin County, OH

Kenton

Holmes County, OH

Auburn Township
Clark Township
Paint Township
Salt Creek Township
Walnut Creek Township
Washington Township
Wayne Township

Knox County, OH

Gann Village
Danville City

Lake County, OH

Concord Township
Eastlake
Fairport Harbor
Grand River
Kirtland
Kirtland Hills
Lakeline
Leroy
Leroy Township
Madison
Madison Township
Mentor
Mentor on the Lake
North Perry
Painesville
Painesville Township
Perry
Perry Township
Timberlake
Unionville
Waite Hill
Wickliffe
Willoughby
Willoughby Hills
Willowick

Mahoning County, OH

Austintown
Austintown Township
Beloit Village
Berlin Center
Boardman
Boardman Township
Campbell
Canfield Township
Coitsville Township
Craig Beach Village
Ellsworth Township
Jackson Township
Lake Milton
Lowellville Village
Milton Township
Mineral Ridge
New Middletown Village

Mahoning County, OH
(Cont.)

New Springfield
North Benton
North Jackson
Poland Township
Poland Village
Springfield Township
Struthers
Weathersfield Township
Youngstown

Medina County, OH

Granger Township
Hinckley Township
Wadsworth City
Wadsworth Township

Mercer County, OH

Celina
Coldwater
Fort Recovery
Montezuma
Rockford
St. Henry

Monroe County, OH

Antioch Village
Beallsville Village
Benton Township
Bethel Township
Center Township
Franklin Township
Grandview Township
Graysville Village
Green Township
Jackson Township
Jerusalem Village
Lewisville Village
Liberty Township
Malaga Township

Issued:

Effective:

List of Communities Served By County**Monroe County, OH**
(Cont.)

Ohio Township
Perry Township
Summit Township
Sunsbury Township
Switzerland Township
Washington Township
Wayne Township
Wilson Village
Woodsfield Village

Paulding County, OH

Haviland
Scott

Portage County, OH

Atwater Township
Aurora
Aurora Township
Bainbridge Township
Braceville Township
Deerfield Township
Diamond Township
Garrettsville Village
Hiram
Hiram Township
Lake Township
Mantua
Newton Falls
Palmyra Township
Randolph Township
Ravenna
Reminderville
Rootstown
Twinsburg Township
Windham Township
Windham Village

Putnam County, OH

Columbus Grove
Glandorf

Putnam County, OH
(Cont.)

Leipsic
Ottawa
Pandora
West Leipsic

Shelby County, OH

Anna
Botkins

Stark County, OH

Alliance
Atwater Township
Baughman Township
Beach City
Bethlehem Township
Brewster
Canal Fulton
Canton
Canton Township
Clinton Village
East Canton
East Sparta Village
Franklin Township
Greentown
Hartville
Jackson Township
Lake Township
Lawrence Township
Lexington Township
Louisville
Marlboro Township
Massillon
Maximo
Middlebranch
Navarre
Nimishillen Township
North Canton
North Lawrence
Osnaburg Township
Paint Township
Perry Township
Pike Township

Stark County, OH
(Cont.)

Plain Township
Rose Township
Sandy Township
Smith Township
Suffield Township
Sugarcreek Township
Tuscarawas Township
Uniontown
Washington Township

Summit County, OH

Akron
Barberton
Bath Township
Boston Heights Village
Boston Township
Brimfield Township
Chippewa Township
Clinton Village
Copley Township
Coventry Township
Cuyahoga Falls
Fairlawn
New Franklin
Green Township
Hudson Township
Kent
Lakemore Village
Macedonia
Mogadore Village
Munroe Falls Village
Northfield Center Township
Northfield Village
Norton
Peninsula Village
Reminderville Village
Richfield Township
Richfield Village
Sagamore Hills Township
Sharon Township
Silver Lake Village
Springfield Township
Stow
Streetsboro

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Bruce C. Klink, President

List of Communities Served By County**Summit County, OH**
(Cont.)Suffield Township
Tallmadge
Twinsburg
Twinsburg Township**Trumbull County, OH**Bazetta Township
Bolindale
Bristol Township
Brookfield Township
Champion Heights
Champion Township
Churchill
Cortland
Farmdale
Farmington Township
Fowler Township
Girard
Howland Center
Howland Township
Hubbard
Hubbard Township
Leavittsburg
Liberty Township
Lordstown Township
Lordstown Village
McDonald
Mecca Township
Mesopotamia Township
Mineral Ridge
Newton Falls
Newton Township
Niles
North Jackson
Parkman
Southington
Turnpike Interchange
Vienna Center
Vienna Township
Warren
Warren Township
Weathersfield Township
Windham Township**Tuscarawas County, OH**Auburn Township
Baltic Village
Barnhill Village
Clark Township
Dennison Village
Dover
Dover Township
Franklin Township
Gnadenhutten Village
Goshen Township
Jefferson Township
Midvale Village
Mill Township
New Philadelphia
Orange Township
Parral Village
Perry Township
Port Washington Village
Rose Township
Rush Township
Salem Township
Sandyville
Sandy Township
Somerdale
Stone Creek Village
Strasburg
Sugarcreek Township
Sugarcreek Village
Tuscarawas Village
Uhrichsville
Union Township
Walnut Creek Township
Warren Township
Warwick Township
Washington Township
Wayne Township
York Township**Van Wert County, OH**Convoy
Middle Point
Ohio City
Van Wert
Willshire**Washington County, OH**Barlow Township
Belpre
Belpre Township
Dunham Township
Fairfield Township
Fearing Township
Grandview Township
Independence Township
Jackson Township
Lawrence Township
Liberty Township
Ludlow Township
Marietta
Marietta Township
Muskingum Township
New Matamoras
Newport Township
Salem Township
Warren Township
Waterford Township**Wayne County, OH**Applecreek
Baughman Township
Canaan Township
Creston
Dalton
Doylestown
East Union Township
Franklin Township
Kidron
Marshallville
Milton Township
Mount Eaton
Orrville
Paint Township
Plain Township
Rittman
Salt Creek Township
Shreve
Smithville Village
Sugar Creek Township
Wayne Township
Wooster
Wooster Township

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