ORDINANCE NO. 233

Regulating the rates and charges to be charged for gas furnished by The Cincinnati Gas & Electric Company, its successors and assigns, to its customers in the **Village of Hamersville, Ohio.**

BE IT ORDAINED BY THE COUNCIL OF THE **VILLAGE OF HAMERSVILLE,** STATE OF OHIO:

Section 1. That for the period of five years from and after the effective date of this ordinance The Cincinnati Gas & Electric Company, its successors and assigns, may charge and collect for gas furnished to customers in the **Village of Hamersville** on all bills for which the initial monthly meter reading was taken on or after the effective date of this ordinance the following rates and charges:

Monthly Rate:

For the first 1,000 cubic feet, 16.05 cents per 100 cubic feet.

For the next 1,000 cubic feet, 10.05 cents per 100 cubic feet.

For the next 4,000 cubic feet, 9.05 cents per 100 cubic feet.

For all over 6,000 cubic feet, 8.05 cents per 100 cubic feet.

The Company may charge and collect a minimum monthly charge of one dollar and fifty cents ($1.50) per meter.

The above rates and charges shall apply only to bills that are paid at the Company's offices within fourteen (14) days after the date of bill. When such bills are not paid within said time, they shall be considered as past due and the Company shall be permitted to make an additional charge of not to exceed five per cent (5%) of the amount of bill as rendered.

Section 2. Adjustment Provision

(a) Whenever a change in city gate tariffs is put into effect by Kentucky Gas Transmission Corporation, The Ohio Fuel Gas Company, or any other natural gas company after it becomes another major supplier of the Company, or whenever a change occurs in taxes caused by changes from existing May 20, 1959 rates or methods (other than changes in rates of depreciation for Federal Income Tax purposes) of determining (i) taxes applicable to, or (ii) valuation for tax duplicate purposes, of property used in the company's gas operations, the Company, as soon as practicable, shall submit to the **Village of Hamersville** a report setting forth the effect of such change in city gate tariffs or taxes or both, per MCF of company wide gas sales, which shall be determined as follows:

(1) The effect per MCF sales of a change in city gate tariff shall be determined by the application of the then currently effective tariffs and the tariffs in effect on May 20, 1959 of all suppliers of the Company, to:

(i) the Company's most recent billing demands applicable to each such respective tariff, and

(ii) the average monthly volume of gas purchased by the Company from said gas suppliers during the most recently available twelve (12) months period after the deduction of off-peak gas sales;

the difference so derived between the costs of gas purchased as computed at the respective tariffs for (i) and (ii) above shall be divided by the average monthly MCF gas sales less off-peak sales during such twelve (12) months period, and the quotient so derived shall represent the effect per MCF gas sales of changes in city gate tariffs.

(2) The effect per MCF gas sales of a change in taxes caused by changes enumerated in paragraph 2 (a) above shall be determined by computing the dollar increase or decrease in operating revenue deductions of the entire gas department of the Company for the most recently available twelve (12) months caused by all such tax changes which have occurred since May 20, 1959, and dividing such dollar amount by company wide MCF gas sales during such period and the quotient, so derived, shall represent the effect per MCF gas sales of such changes in taxes.

The rates as stated in this ordinance, immediately upon the submission of the aforesaid reports, shall be decreased or increased one-fourth cent per MCF for each one-fourth cent per MCF, combined decrease or increase resulting from any such changes in city gate tariffs or taxes, or both, which decrease or increase shall be applied to all bills rendered thereafter.

As of the effective date of this ordinance, the Company shall be permitted to increase the rates and charges set forth in Section 1 hereof by an amount not to exceed 6.50 cents per MCF (consisting of 8.25¢ in effect on May 20, 1959, minus 1.75¢ decrease since that date), which increase will remain in effect except as rates are modified by the computation provided for in the preceding paragraphs of this Section 2 and represents the total temporary increase in City gate tariff gas costs per MCF being collected from the Company by its suppliers under bond as of the effective date of this ordinance, pursuant to orders of the Federal Power Commission and subject to refund.

(b) If refunds applicable to the ordinance period or any preceding ordinance period are received by the Company from any gas supplier for the difference between rates charged by said supplier and rates finally authorized or approved by the regulatory body having jurisdiction for gas purchased by the Company from such supplier, the Company will:

(1) Recalculate, in accordance with the applicable ordinance, all reports, made in accordance with the provisions of paragraph (a) of this section or like provisions of any preceding ordinance previously submitted during any such ordinance period and which were based on periods in which the Company's suppliers' higher rates were in effect, to reflect the cost of gas purchased at the rates finally authorized or approved by the regulatory body having jurisdiction.

(2) Determine the difference between the required decrease or increase in the Company's rates per MCF of gas sales as determined in such previously submitted reports and in the reports as recalculated in (1) above for the corresponding periods.

(3) Determine the credit applicable to each such period by multiplying the difference determined in (2) above by the MCF sales during the respective periods to which such differences applied.

(4) The total of the amounts thus determined, less the estimated cost of making any refund or determining and applying any credits, shall be distributed by the Company as follows:

(a) Divide the applicable MCF gas sales during the April or November first following the date of receipt of refund into the total net refund determined under (3) above.

(b) Multiply the quotient determined in (a) above by the actual MCF gas sales to each account during the month of April or November as used under (a) above (the product representing a credit).

(c) Apply the credit derived under (b) above to each current account in the month subsequent to the month of April or November, as used under (a) and (b) above, and bill accordingly.

For the purposes of this Section 2, the term "off-peak" sales shall mean gas sold at special contract off-peak rates and subject to interruption by the Company for the purpose of minimizing its billing demand under the tariffs of its suppliers.

Section 3. If any residence customer, because of absence or otherwise, shall notify the Company in writing to shut off the supply of gas, the Company shall make no minimum charge for any full meter reading period during the time the gas is shut off; provided, however, that any such customer who shall order the same service discontinued and reconnected within a period of one (1) year shall be subject to a charge of three dollars ($3.00).

The Company may charge and collect in advance the sum of three dollars ($3.00) for reconnecting a customer's service after the service has been discontinued because of non-payment of bill when due. In case the service is discontinued because of fraudulent use of the Company's service, the Company may charge and collect the sum of three dollars ($3.00), and in addition thereto, the expenses incurred by the Company by reason of such fraudulent use, together with an estimated bill for gas used, before the service is reconnected.

If at the time of reconnection of gas service, as herein provided, the Company should also reconnect customers electric service for which reconnection charge is payable, the charge for reconnecting the gas service shall be $2.00.

Section 4. The Company shall have the right to establish billing districts in the Village of Hamersville for the purpose of reading meters and rendering bills to customers at various dates, and to designate and establish from time to time, the places where payment of bills by customers shall be made.

Section 5. Said Company shall in no event charge for gas furnished more than the prices and rates hereinabove specified.

Section 6. The said Company shall without charge make extensions of its distribution mains a distance of one hundred (100) feet when necessary to serve any applicant.

Section 7. This ordinance shall take effect and be in force from and after the earliest period allowed by law, and upon written acceptance by The Cincinnati Gas & Electric Company, filed with the Clerk of Council, become a valid and binding contract by and between the **Village of Hamersville** and The Cincinnati Gas & Electric Company, its successors and/or assigns.

Passed Mar. 6, 1967

Mayor

Attest: Margaret Wilson
Clerk

I, Margaret Wilson, Clerk of the **Village of Hamersville** Ohio, do hereby certify that the foregoing is a true and correct copy of Ordinance No. 233, passed by Council of said **village** on the 6th day of March 1967

Margaret Wilson
Clerk