

ORDINANCE NO. 34-52

Fixing and regulating the price which The Ohio Fuel Gas Company, its successors or assigns, may charge for natural gas to the City of Bexley, Ohio, and to its inhabitants, for the period of Four (4) Years from and after the effective date of this ordinance.

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

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

Ten Cents (10¢) per one hundred (100) cubic feet for the first 1,000 cubic feet, used through each meter each month;

Six Cents (6¢) per one hundred (100) cubic feet for all in excess of 1,000 cubic feet, used through each meter each month;

A Minimum Monthly Charge for each customer each month of One Dollar (\$1.00) shall be made;

A Delayed Payment Charge of five per cent (5%), but which in no instance shall be less than Ten Cents (10¢), shall be added to the above charge if the monthly bill therefor is not paid within the time prescribed by the Rules and Regulations of the Company.

FUEL COST CLAUSE

The rates prescribed above are predicated upon a base price, as hereinafter defined, of 23.46 cents per 1,000 cubic feet. The term "base price" as used in this ordinance shall mean the weighted average price per 1,000 cubic feet paid for natural gas purchased during the twelve (12) month period ended December 31, 1951, by Company from suppliers whose rates are subject to the jurisdiction of the Federal Power Commission (hereinafter called "Regulated Suppliers").

The "base price" paid for the period ended December 31, 1951, was paid pursuant to tariffs approved by the Federal Power Commission. The base price of 23.46 cents per 1,000 cubic feet specified above was determined by:

- (1) Applying to the gas purchased from each Regulated Supplier for the twelve (12) month period ended December 31, 1951, the rates of each such Regulated Supplier on file with and approved by the Federal Power Commission and in effect on December 31, 1951.
- (2) Dividing the total of the gas purchased costs as determined in subparagraph (1) above, by the total gas purchased by the Company from Regulated Suppliers during such twelve (12) month period.

For the twelve (12) month period ending each March 31, June 30, September 30, and December 31, subsequent to the effective date of this ordinance, an adjusted base price (as hereinafter defined) shall be determined by the Company and for each full one-half ( $\frac{1}{2}$ ) cent per 1,000 cubic feet by which the adjusted base price decreases or increases, below or above the base price of 23.46 cents per 1,000 cubic feet, the rates prescribed above shall be decreased or increased at the rate of one-half ( $\frac{1}{2}$ ) cent per 1,000 cubic feet as of the first day of the third month following each such twelve (12) month period (hereinafter referred to as the "effective date"); provided that the Company shall have filed with The Public Utilities Commission of Ohio and the Clerk of Council of the City of Bexley, Ohio, thirty (30) days prior to the effective date, a computation in support of the adjusted rates, together with a notice that the adjusted rates are to be placed in effect as of 12:01 A.M. on the effective date of shall apply to all bills rendered on and after that date.

The term "adjusted base price" is defined as the price for each twelve (12) month period ending March 31, June 30, September 30, and December 31, subsequent to the effective date of this ordinance, calculated in the following manner:

- (1) Dividing the total dollars paid, as reflected by the books of the Company, for the gas purchased from all Regulated Suppliers during each month of each such twelve (12) month period, by the total gas purchased by the Company from all such Regulated Suppliers; provided that in the event the rate of any Regulated Supplier shall be approved by the Federal Power Commission at a time when the filed rate authorized to be collected under bond shall have been in effect for a period of less than twelve (12) months, then the dollars actually paid to such Regulated Supplier for the twelve (12) month period shall not be used and there shall be included in lieu thereof a sum equal to the amount which would have been paid under such approved rate for the gas purchased from such Regulated Supplier for the twelve (12) month period.

- (2) If, during the twelve (12) month period under consideration, the Company shall have received from one or more of its Regulated Suppliers, a refund, pursuant to an order of the Federal Power Commission in connection with the final settlement of a rate proceeding, a credit in the amount of the refund shall be applied to the gas purchased costs, determined in the preceding subparagraph (1).

The above "Fuel Cost Clause" shall become operative and effective on April 1, 1953, regardless of any provisions contained in this ordinance which is, or may be construed as inconsistent with, or in conflict with said date of April 1, 1953.

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

SECTION 3: That any ordinance or resolution, or part of an ordinance or resolution, inconsistent herewith, is to the extent of such inconsistency, hereby repealed.

SECTION 4: That should any section or part of a section or provision of a section of this ordinance be declared void the remainder of this ordinance shall not be affected thereby.

SECTION 5: That this ordinance shall become effective at the earliest period allowed by law, conditioned upon written acceptance thereof being filed by The Ohio Fuel Gas Company with the Clerk of the City of Bexley, Ohio, within thirty (30) days from and after its passage.

Passed:

November 11<sup>th</sup> 1952

John B. Harlow  
President of Council

Attest:

E. W. Stackhouse  
City Clerk

Approved by me this 11<sup>th</sup> day of November, 1952.

W. H. Schuman  
Mayor