

ORDINANCE NO. 4-61

Fixing and regulating the price that may be charged by The Ohio Fuel Gas Company, its successors or assigns, 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, for the period of Two (2) Years from and after the effective date of this ordinance, 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, shall be and the same is hereby fixed for each individual consumer, as follows:

For the first one thousand (1,000) cubic feet, or less, or none, measured through any one meter, per month, One Dollar and Forty Cents (\$1.40).

For all over one thousand (1,000) cubic feet measured through such meter per month, Sixty-seven Cents (67¢) for each one thousand (1,000) cubic feet supplied.

From and after the expiration of the aforesaid Two Year period and for a further period of Two (2) Years thereafter, as follows:

For the first one thousand (1,000) cubic feet, or less, or none, measured through any one meter, per month, One Dollar and Forty Cents (\$1.40).

For all over one thousand (1,000) cubic feet measured through such meter per month, Sixty-eight and one-half Cents (68½¢) for each one thousand (1,000) cubic feet supplied.

If service under this rate schedule is discontinued at the request of customer, The Ohio Fuel Gas Company shall not be under any obligation to resume service to the same customer on the same premises until the customer has made payment of an amount equal to the minimum monthly charge for each month of the intervening period, but not to exceed ten (10) months.

No tax escalation shall attach to any billing under the foregoing rates.

No extra or additional charge shall be made for meter rentals.

The above rates are net and are due within ten (10) days after the bill or bills for the monthly reading period has, or have been issued. No penalty is to be added thereto for delayed payments.

Any fuel escalation provided for by Ordinance 2-57 shall continue upon expiration of said Ordinance until superseded by computations made pursuant to the provisions of the instant ordinance.

Any labor escalation made pursuant to Ordinance 2-57 shall continue in full force and effect during the life of the instant ordinance.

BASE RATE ADJUSTMENT CLAUSE

A. The base rates prescribed above are predicated upon a base fuel cost of 29.62¢ per one thousand (1,000) cubic feet. Such base fuel cost corresponds to the adjusted base price computed as of June 30, 1956 in a tabulation entitled "Fuel Cost Adjustment, Summary of Gas Purchased From Regulated Pipeline Suppliers", and filed with The Public Utilities Commission of Ohio and the Clerk of the City of Bexley, Ohio, pursuant to the requirements of Ordinance No. 39-52 of the City of Bexley.

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 fuel cost per one thousand (1,000) cubic feet shall be determined by:

- (1) Applying to the gas purchased from each supplier whose rates are subject to the jurisdiction of the Federal Power Commission (hereinafter called "Regulated Suppliers"), the rates of each of such Regulated Supplier on file with the Federal Power Commission and effective during each month of each such twelve (12) month period and dividing the total of the gas purchased costs so determined by the total gas purchased by the Company from all such Regulated Suppliers; and
- (2) If, during such twelve (12) month period 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), and the Company shall immediately adjust its annual gas purchased costs to reflect such rate finally fixed by the Federal Power Commission.

B. The base rates prescribed above shall be decreased by an amount per one thousand (1,000) cubic feet equal to each full one-half cent or increased by an amount per one thousand (1,000) cubic feet equal to the nearest one-half cent which results from a computation obtaining the difference between the adjusted base fuel cost (determined in paragraph A above) and the base fuel cost (29.62¢).

C. On or before each April 30, July 31, October 31, and January 31 during the term of this ordinance, the Company shall file with The Public Utilities Commission of Ohio and the Clerk of Council of the City of Bexley, a computation as of the end of the preceding month, showing the adjusted base fuel cost (as defined in paragraph A above). Such computation shall also show the bases of such adjusted costs and the amount of increase or decrease (as prescribed in paragraph B above) in the base rates resulting from such adjusted costs.

Any such increase or decrease shall be made effective and apply to all bills rendered on and after 12:01 a.m., on the first day of the second month following the filing of such computation.

In any docketed proceeding to increase rates to the Company filed by a Regulated Supplier, the Company shall petition to intervene therein and shall promptly give written notice to the Mayor of the City of Bexley, Ohio, of the pendency of said proceeding.

D. The base rates prescribed above are also predicated upon a base distribution labor cost per one thousand (1,000) cubic feet of 6.73¢, determined by dividing the adjusted labor cost charged or allocated to the City of Bexley during the calendar year 1955, by the total of the sales of gas (stated in one thousand (1,000) cubic feet) made by the Company during said calendar year, governed by Ordinance No. 39-52 of the City of Bexley. Said labor cost was based upon a weighted average straight time hourly rate of \$2.01, which resulted, for the last payroll period in the month of June, 1956, by dividing the total of the straight time wages paid under the regular payroll of the Columbus Distribution District by the total straight time man hours compensated thereunder.

If, subsequent to January 1, 1961, one or more general adjustments are made by the Company in the wage rates of ninety (90) per cent or more of its employees in the Columbus Distribution District, an adjusted base labor cost per one thousand (1,000) cubic feet shall be determined by:

- (1) Computing the weighted average straight time hourly rate, during the first full payroll period which reflects the effectiveness of such general wage adjustment of the employees employed in the Columbus Distribution District, in the same manner as the hourly rate of \$2.01 was computed.
- (2) Dividing the base labor cost per one thousand (1,000) cubic feet of 6.73¢ by the base weighted average straight time hourly rate of \$2.01 and multiplying the quotient by the weighted average straight time hourly rate determined in subparagraph (1) above.

Such adjusted base labor cost shall continue in effect until a change, by reason of a subsequent general adjustment (as hereinbefore defined) is made in wage rates.

The base rates prescribed above shall be increased or decreased by an amount per one thousand (1,000) cubic feet equal to each full one-half cent which results from the difference between the adjusted base labor cost (determined in sub-paragraph D-2 above) and the base labor cost (6.73¢).

The labor escalation made pursuant to Ordinance No. 2-57 shall not be duplicated by the operation of the labor escalator contained in paragraph D herein.

During the life of the instant ordinance, adjustments made in accordance with the labor escalator or contained in paragraph D shall not exceed, in the aggregate, one and one-half cents (1½¢) per 1,000 cubic feet. Not more than one-half cent (½¢) for labor escalation shall be added as the result of any single computation under paragraph D. The limitation of 1½¢ provided herein shall be in addition to the labor escalation carried forward from Ordinance No. 2-57.

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 or 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: The terms and conditions of the service to be rendered shall conform with and be subject to the Rules and Regulations for furnishing gas service of the Company on file with and approved by The Public Utilities Commission of Ohio.

SECTION 4: That natural gas to be supplied under Section 1 hereof, shall have an average heating value of not less than 1,000 British thermal units (gross) per cubic foot, and on the bases of a standard established or an average found, said gas shall be uniform to the extent that the quotient obtained by dividing the thermal value, to-wit; the British thermal units (gross) per cubic foot, by the square foot of the specific gravity of said gas, shall not vary more than five percentum upward or downward from such standard or average.

SECTION 5: That any ordinance or resolution, or part of an ordinance or resolution, inconsistent herewith, is, to the extent of such inconsistency, hereby repealed.

SECTION 6: 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 7: That this ordinance shall become effective at the earliest date allowed by law.

PASSED:

2/14/8

*C. Curtis*  
PRESIDENT OF COUNCIL

ATTEST:

*W. L. Russell*  
CLERK

MAYOR: *H. A. Schaefer*