

ORDINANCE NO. 6-65

Fixing and regulating the price that may be charged by Columbia Gas of Ohio, Inc., 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; and repealing Ordinance No. 4-61 passed by the Council of the City of Bexley, Ohio, on the 14th day of February, 1961, entitled: "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 Four (4) Years from and after the effective date of this ordinance, the maximum price which Columbia Gas of Ohio, Inc., 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 and four hundred eighty-five thousandths Dollars (\$1.485).

For all over one thousand (1,000) cubic feet measured through such meter per month, Seventy-seven Cents (77¢) for each one thousand (1,000) cubic feet supplied.

If service under this rate schedule is discontinued at the request of customer, the 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 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.

FUEL COST CLAUSE

The service rates prescribed above are subject to an adjustment for any change in the rates paid by Columbia Gas of Ohio, Inc. (Company) to The Ohio Fuel Gas Company (Ohio Fuel) for the purchase of natural gas or for any refund or refunds received by or from Ohio Fuel, as hereinafter provided. Ohio Fuel's rates to the Company are regulated by the Federal Power Commission.

The service rates prescribed above are predicated upon the rate paid by the Company to Ohio Fuel of \$1.92 per month per one thousand (1,000) cubic feet of Billing Demand and 33.09¢ per one thousand (1,000) cubic feet for all gas purchased and are hereinafter referred to as the "base rate".

A. Purchased Gas Adjustment

When any change is made in the rate paid by the Company to Ohio Fuel, the service rates herein shall be increased or decreased in the following manner:

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(1) Gas purchased by the Company during the twelve (12) month period ended with the second month preceding the month in which a new rate of Ohio Fuel is first used in computing the monthly bill to the Company shall be priced:

- (a) at the base rate, and
- (b) at the new rate.

The difference in the cost of gas purchased computed at the base rate and at the new rate in the manner set forth above, shall be divided by the volume of gas purchased by the Company during the same twelve (12) month period to determine the increase or decrease per one thousand (1,000) cubic feet, to the nearest one-hundredth of a cent, which shall be the "purchased gas adjustment."

(2) The service rates shall be increased or decreased by the amount of the purchased gas adjustment as determined in paragraph A (1), effective with bills rendered on and after the 30th day (the effective date) following the date on which a new rate of Ohio Fuel is first used in computing the monthly bill to the Company; provided that the Company shall have filed with the Public Utilities Commission of Ohio and the Clerk of the City of Bexley, Ohio, not less than fifteen (15) days prior to the effective date, a computation in support of said purchased gas adjustment, together with a notice that such purchased gas adjustment is to be placed in effect at 12:01 A.M. on the effective date and shall apply to all bills rendered on and after that date.

B. Refund Adjustment

(1) Whenever, during a quarterly period ending each March 31, June 30, September 30 and December 31, subsequent to the effective date of this fuel cost clause, the Company receives a refund or refunds from Ohio Fuel, the Company shall decrease the service rates in the following manner:

(a) Dividing such refund or refunds by the actual volumes of gas purchased during the twelve-month period ending with the quarter in which the refund or refunds were received. The quotient so determined to the nearest one-hundredth of a cent shall be the "refund adjustment".

(b) The service rates which would otherwise be in effect shall be decreased for a twelve-month period commencing on the first day of the third month after the quarterly period in which the refund or refunds were received. The refund adjustment shall terminate at the end of said twelve (12) months.

(2) The Company shall file with the Public Utilities Commission of Ohio and the Clerk of the City of Bexley, Ohio, thirty (30) days prior to the effective date a computation in support of said refund adjustment together with a notice that the refund adjustment will be placed in effect as of 12:01 A.M., on the effective date and shall apply to all bills rendered on and after that date for a twelve-month period. Such filing shall also set forth the combined effect of the current purchased gas adjustment and the refund adjustments determined as herein provided for the next four (4) quarterly periods.

(3) When a refund has been used as a credit to gas purchased costs in a fuel cost clause report under Ordinance No. 4-61 but not for twelve (12) months, the credit on a one thousand (1,000) cubic feet basis shall continue as a refund adjustment under this ordinance for the remainder of the twelve-month period beginning with the month in which said refund was first credited. The Company shall file a computation with the Public Utilities Commission of Ohio and the Clerk of the City of Bexley, Ohio, in support of any refund adjustment determined under this paragraph.

(4) When any refund or a part of any refund received by the Company from Ohio Fuel has been used as a credit under the Company's former fuel cost clause, such refund amounts shall not again be used to determine a refund adjustment except as provided for in paragraph B (3).

LABOR COST CLAUSE

The service rates prescribed above are also predicated upon a base distribution labor cost per one thousand (1,000) cubic feet of 9.11¢. Said labor cost was based upon a weighted average straight time hourly rate of \$2.72.

Each October, during the term of this Ordinance, 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 in October, of the employees employed in the Central Distribution District, by dividing the total of the straight time wages paid under the regular payroll of the Central Distribution District by the total straight time man hours compensated thereunder.
- (2) Dividing the base labor cost per one thousand (1,000) cubic feet of 9.11¢ by the base weighted average straight time hourly rate of \$2.72 and multiplying the quotient by the weighted average straight time hourly rate determined in subparagraph (1) above.

The service rates prescribed above shall be increased or decreased by the difference to the nearest one-hundredth of a cent per one thousand (1,000) cubic feet between the adjusted base labor cost (determined in subparagraph (2) above) and the base labor cost (9.11¢). Any adjustments pursuant to this labor cost clause shall become effective at 12:01 A.M. on December 1, and shall apply to all bills rendered on and after that date. Not less than fifteen (15) days prior to the effective date, a notice of the adjustment and a computation in support of said labor cost adjustment, shall be filed with the Public Utilities Commission of Ohio and the Clerk of the City of Bexley, Ohio.

During the life of the instant ordinance, adjustments made in accordance with the labor escalator shall not exceed, in the aggregate, one and one-half cents ($1\frac{1}{2}$ ¢) per one thousand (1,000) cubic feet. Not more than one-half cent ($\frac{1}{2}$ ¢) for labor escalation shall be added as the result of any single computation.

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: That Ordinance No. 4-61 passed by the Council of the City of Bexley, Ohio, on the 14th day of February, 1961, entitled: "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 and the same is hereby repealed.

SECTION 4: 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 5: 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 basis 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 feet, 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 6: That any ordinance or resolution, or part of an ordinance or resolution, inconsistent herewith, is, to the extent of such inconsistency, hereby repealed.

SECTION 7: 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 8: That this ordinance shall become effective at the earliest date allowed by law, provided, however, that this ordinance shall have no force or effect whatsoever unless written acceptance of this ordinance is filed by the Company with the Clerk of the City of Bexley, Ohio, prior to the expiration of thirty (30) days from the date this ordinance is passed.

PASSED:

March 23, 1965

J. Ruth Loble
PRESIDENT OF COUNCIL PRO TEM

ATTEST:

R. C. Prescott
CLERK

H. A. Schneider
MAYOR