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PUBLIC SERVICE COMMISSION  
OF WEST VIRGINIA

P.S.C. W. Va. No. 37  
Canceling P.S.C. W. Va. No. 36

UNION OIL & GAS, INC.  
OF  
CHARLESTON, WEST VIRGINIA

Public Service Commission  
of W. VA. Tariff Office  
NOV 09 2006  
Special Studies Section

RATES, RULES AND REGULATIONS FOR FURNISHING  
GAS

at Winfield, Eleanor, Red House and the surrounding rural communities including  
Hometown, Midway and rural Winfield, and the districts of rural Hurricane, rural Scary,  
rural Mt. Vernon, rural Fraziers Bottom, rural Teays and in and around Scott Depot all in  
Putnam County and at Culloden in Cabell County, West Virginia

Filed with THE PUBLIC SERVICE COMMISSION  
of  
WEST VIRGINIA

Issued November 1, 2006

Effective for all bills rendered on and after December 1, 2006  
or as otherwise provided herein

Issued by authority of Orders of the Public Service Commission of West Virginia in Case No.  
06-0410-G-42T dated October 26, 2006 and Case No. 06-1004-G-30C final October 31, 2006 or  
as otherwise provided herein

Issued by UNION OIL & GAS, INC.

By T.M. Hannon

Attorney

Title

UNION OIL & GAS, INC.

P.S.C. W.VA. Tariff No. 37  
Original Sheet No. 1

RULES AND REGULATIONS

- I. Rules and Regulations for the Government of Gas Utilities, adopted by the Public Service Commission of West Virginia, and now in effect, and all amendments thereto and modifications thereof hereafter made by said Commission.

Public Service Commission  
of W. VA. Tariff Office  
NOV 09 2006  
Special Studies Section

RATES FOR GAS LIGHTS

APPLICABILITY

Applicable in entire territory served

AVAILABILITY

For all installed gas lights for continuous street or outdoor lighting, in lighting devices approved by the Company, where the deliveries are not metered

MONTHLY RATES

Usage per light will be assumed to be two thousand (2,000) cubic feet per month when the BTU/hr. input rating for such light is 2,700 or less. For each additional 1,350 BTU/hr. input or fraction thereof, the assumed consumption shall be increased by one thousand (1,000) cubic feet per month.

The assumed consumption will be billed under the rates then in effect per then currently approved rate schedule for residential service consumption charge.

MINIMUM CHARGE

Based on assumed two thousand (2,000) cubic feet per light per month at the then current approved rate schedule for residential service consumption charge

DELAYED PAYMENT PENALTY

The above tariff is net. On all accounts not paid in full within twenty (20) days of date of bill, two cents (\$.02) per thousand cubic feet will be added to the net amount. This delayed payment penalty is not interest and is only to be collected once for each bill where it is appropriate.

RETURNED CHECK CHARGE

A service charge equal to the amount charged by the utility's banking institution, not to exceed \$15.00 will be imposed upon any customer whose check for payment of charges is returned by said customer's bank due to insufficient funds.

Union Oil & Gas, Inc.  
Charleston, WV

P.S.C. W.Va. No. 37  
Fifteenth Revision of Sheet No. 2  
Canceling Fourteenth Revision of Sheet No. 2

## RATES

### APPLICABILITY

Applicable in entire territory served.

### AVAILABILITY

Available for domestic and commercial service.

### RATES

	Customer Charge (No consumption included)	per month	\$ 11.66
(D)	Consumption Charge	per Mcf	\$ 7.337

(D) The above rates include a purchased gas rate of \$ 4.036 per Mcf.

### DELAYED PAYMENT PENALTY

The above tariff is net. On all accounts not paid in full within twenty (20) days of the date of the bill, 1% will be added to the net amount due. This delayed payment penalty is not interest and is only to be collected once for each bill where it is appropriate.

### RECONNECTION CHARGE

Whenever the supply of gas is turned off for violation of rules or regulations, non-payment of bills, or fraudulent use of gas, the utility may make a charge of twenty-five dollars (\$25.00) for reestablished service. If service is discontinued at the request of the customer, the utility may refuse service to such customer at the same premise within eight (8) months unless it shall receive payment of seventy-five dollars (\$75.00)

(D) Indicates Decrease

Issued: November 14, 2016

Effective: December 2016 Billings

Issued by:

  
\_\_\_\_\_  
David B. Hanna, Attorney

Issued by authority of an order by the WV PSC in Case No. 16-1057-G-30C final on October 19, 2016.

**SPECIAL REDUCED RATE RESIDENTIAL SERVICE RATE SCHEDULE**

**APPLICABILITY**

Applicable in entire territory served.

**AVAILABILITY**

Available during the months of December, January, February, March and April for residential customers who qualify for special reduced rates under the provisions of West Virginia Code § 24-2A-1.

**RATES**

	Customer Charge (No consumption included)	Per Month	\$	9.328
(D)	Consumption Charge	Per Mcf	\$	5.870

(D) The above rates include a purchased gas rate of \$4.036 per Mcf.

**DELAYED PAYMENT PENALTY**

The above tariff is net. On all accounts not paid in full within twenty (20) days of the date of the bill, 0.80% will be added to the net amount due. This delayed payment penalty is not interest and is only to be collected once for each bill where it is appropriate.

**RECONNECTION CHARGE**

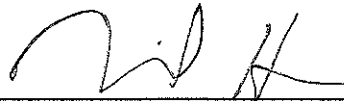
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BUDGET PAYMENT PLAN

1. Use of the Budget Plan is strictly voluntary on the part of the consumer.
2. Union will determine a Budget payment that will approximate even payments for the year, commencing with bills mailed on July 1 of each year, based on usage from June of the previous year to May of the current year, taking into account the degree days involved, physical changes on the property, or usage patterns by the consumer. Customer input on the estimate is welcome and encouraged.
3. To be eligible for the Budget Plan a consumer must be a residential customer or acceptable commercial customer, be current in paying his bills, and indicate prior to June 20th his desire to have a Budget Plan.
4. Consumer once electing the Budget Plan will remain on it until he chooses to drop it (normally June 30th the following year but earlier date upon specific request) or he fails to make a timely payment on the Budget Plan, or he or Union terminates his gas service.
5. If the Consumer goes off the Budget Plan then amounts due or refundable will be payable according to the existing regular tariffs under the rules of the P.S.C.
6. Entry into the Budget Plan is normally available only once a year with the bills mailed on July 1st. However, late entry will be available for good cause.
7. Union will review and possibly change the Budget Payment amount every three months dependent on consumption because of temperature variance, physical changes, etc., or at any time when a rate change has been ordered by the Public Service Commission of West Virginia.
8. June will be considered the settlement month during which overage or underage of payments will be adjusted to conform with existing tariffs for the time frame period. In the event that the settlement in June is prohibitively large then April and May also may be used to achieve settlement.
9. Customer billing cards will indicate insofar as possible amount due under Budget Plan and amount due if consumer were not under the Budget Plan.

LOCAL TAX SURCHARGE

When a municipal corporation or other political subdivision of the State of West Virginia, imposes an excise tax, exaction or fee based upon a percentage of the revenues from gas sales by the Company within the territorial limits of the municipal corporation or other political subdivision, such taxes, exactions or fees shall be billed as a "surcharge" to the customers receiving service within said territorial limits. This "surcharge" shall be computed at the appropriate effective tax rate levied by the municipal corporation or other political subdivision, giving consideration to the additional state gross receipts tax resulting therefrom.

Any increase, decrease, elimination or creation of any such taxes, exactions or fees by any municipal corporation or other political subdivision, shall become effective after the Company has given thirty (30) days notice to the Public Service Commission of any change in said taxes, by filing a revision of the appropriate tariff sheet(s).

The monthly bills to such Customers referred to above, will include the Local Tax Surcharge.

Customers receiving service in the following municipalities or political subdivisions shall pay a surcharge based on the following effective surcharge rates:

<u>Municipality or Political Subdivision</u>	<u>Assessed Local B &amp; O Tax %</u>	<u>Effective Surcharge % (1)</u>	<u>Assessed Local Excise Tax %</u>
Eleanor	3.00	3.236	2.00(E)
Winfield	2.00	2.134	2.00(E)
Buffalo	2.75	2.958	2.00(E)

(1) Computed as follows:

$$\frac{\text{Local Tax Rate}}{1 - (\text{Local Tax Rate} + \text{State B \& O Tax Rate})}$$

(E) Exemptions: Purchases for resale; purchases by US., WV & political subdivisions thereof; purchases of tangible personal property; nonrecurring or one-time charges incidental to furnishing of public utility service.

RULES AND REGULATIONS FOR THE TRANSPORTATION OF NATURAL GAS

AVAILABILITY

Transportation gas service is available to each customer satisfying the following qualifications:

- (a) The Customer has purchased, or has agreed to purchase, a supply of gas, of a quality acceptable to the Company, from another source.
- (b) The Customer has made, or has caused to be made, all arrangements by which such volumes of gas can be delivered, either directly or by displacement, into Company's distribution system;
- (c) Either no additional facilities will be required for the Company to provide the transportation service or customer has paid, in full, for any additional facilities required to be constructed, which payments shall not be subject to refund under any circumstances and which will become part of the property of the Company following installation.
- (d) To be eligible to receive certain services under the Rate Schedule, telemetering may be required.
- (e) Customer shall submit a properly completed application form, provide payment of all required fees, and execute a written agreement with the Company prior to receipt of any transportation services.



RULES AND REGULATIONS FOR THE TRANSPORTATION OF NATURAL GAS  
(Continued)

II. GENERAL TERMS

- (a) Company is not required to provide any requested transportation service for which capacity is not available.
- (b) The character of the transportation service rendered - that is , firm, or interruptible, shall be the same as that which Customer has contracted for in its transportation agreement with Company.
- (c) Customer and Company shall execute duplicate originals of a written agreement to cover transportation service. Items covered in the transportation agreement shall include, but not be limited to, transportation rate(s), the character of service, agreement term, renewal provisions (if any), effective date, balancing provisions, and addresses for notice purposes. Such agreement shall be deemed to include all other provisions of this tariff. Before transportation commences, all other required transportation agreements (such as those for interstate pipeline transportation) shall be executed with copies provided to Company.
- (d) Transportation service shall begin on the first (1st) day of the month at 10:00 a.m. only. Termination of service shall cease on the first day of the month at 10:00 a.m. only.
- (e) Any type of transportation service will require a minimum one (1) year contract.
- (f) All necessary documents must be fully executed and received in order to obtain transportation service.

RULES AND REGULATIONS FOR THE TRANSPORTATION OF NATURAL GAS  
(Continued)

III. CHARACTER OF SERVICE

(a) INTERRUPTIBLE SERVICE TRANSPORTATION

All interruptible service is conditioned on the availability of capacity sufficient to provide such service without detriment or disadvantage to transporter's firm transportation and sales customers who are dependent upon Transporter's general system supply. To be eligible to receive interruptible transportation service, a transportation customer must have telemetering equipment installed.

Whenever Company notifies a Customer receiving service on an interruptible basis, that it needs to restrict its gas usage and it fails to do so, Customer shall be subject to a pro rata share of any overrun charges billed to Company by upstream pipelines. All of these charges are in addition to those otherwise billable under this tariff or the Company's transportation contract with the Buyer.

The Company shall have no obligation to provided full commodity service to any Customer that has not previously contracted for a standby sales service fee. In the event the Company elects to permit a Customer to convert from interruptible transportation service to full commodity service, the rate per Mcf for such full commodity service shall be the higher of (1) the applicable commodity Charge for all gas as set forth in the respective Rate Schedule or (2) the price as reported in the "Gas Daily Price Guide" in the section "Citygate Prices" under the heading "Mid-Atlantic citygates", for Columbia Gas for the month in question, converted to Mcf using the Company's system-wide average Btu content of Gas delivered to its system, plus the arithmetic difference between the (1) "Commodity charge for all Mcf of Gas" as then set forth in the applicable rate schedule, and (2) the purchased gas cost included in said Commodity Charge. In addition to the foregoing, the Company shall be entitled to collect any and all amounts for fuel retainage and taxes the Company is otherwise authorized to recover.

**RULES AND REGULATIONS FOR THE TRANSPORTATION OF NATURAL GAS**  
(Continued)

III. **CHARACTER OF SERVICE** (Continued)

(b) **FIRM SERVICE TRANSPORTATION**

Customers electing to pay the Standby Charge shall be considered firm transportation customers and will not be subject to interruption. Also, Customers failing to qualify for Interruptible Service must take Firm Service, including paying the Standby Charge per Mcf on all usage.

(c) **STANDBY SALES SERVICE**

Standby sales service is required for firm service and is ancillary to interruptible service. By paying the standby charge, Customer is entitled to receive standby backup (sales) service from Company.

IV. **RATES**

(N) **Fuel Retention**

The Company shall retain as gas lost or unaccounted for in Company operations a percentage of the gas by volume delivered for the customer's account.

(N) **Transportation Rates**

Customer Charge (no consumption included)	\$ 11.66 per month
Usage Charge	\$ 2.771 per Mcf

This fully distributed transportation rate may be flexed upward in accordance with Commission Rules unless West Virginia gas is transported.

(N) **Standby Charge**

The price per mcf shall be calculated at 48% of the customer's usage for the four month period of winter gas times \$0.644 divided by the customer's total annual usage. The level of the four month winter gas and the total annual usage shall be determined from the most immediate preceding 12 month period ending June 30.

(N) Indicates New

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RULES AND REGULATIONS FOR THE TRANSPORTATION OF NATURAL GAS  
(Continued)

V. DAILY BALANCING

All customers receiving transportation service from the Company shall be subject to the requirements of this section. All changes under this section shall be in addition to any other penalty charges or other charges contained in Company's tariffs.

- a. For all transportation customers without telemetering, the following balancing fee shall be charged for all usage.

\$0.205 per Mcf for all usage

- b. For all transportation customers with telemetering, the following daily balancing fees shall be charged for all daily usage in excess of or less than 10% of the Customer's scheduled daily nomination by customer account, less fuel retention during periods which Tennessee Gas Pipeline Company imposes Daily Variance charges.

\$0.409 per Mcf for applicable imbalances

VI. BANKING

Excluding the months of June, July and August, a Customer account may maintain a maximum bank volume of 5% of the highest monthly purchased volumes for the most immediately preceding 12-month period ending June 30. Bank Balances must be brought to zero by June 1 of each year with no banking allowance for the months of June, July and August.

VII. MONTHLY BALANCING

Imbalances between total monthly supplies received by the Company for a Shipper's account, net of fuel retention, and the total monthly deliveries to Shipper after adjustment for banking balances shall be resolved by way of a cashout mechanism at the end of each month as follows. These charges are in addition to all other transportation charges.

**RULES AND REGULATIONS FOR THE TRANSPORTATION OF NATURAL GAS**

(Continued)

**VII. MONTHLY BALANCING** (Continued)

(a) Cashout by Sale to Customer

In any month where deliveries to Customer are greater than the total of 1) the receipts for Customer's account, after adjustment for fuel retention, and 2) the previous month's bank balance, the Net Imbalance shall be resolved by Customer purchasing gas from Company as follows:

Standby Sales Service of Firm Transportation:  
under the Company's general sales schedule

Interruptible Transportations:  
at a price calculated as follows:

The Reference Price shall be equal to the monthly High Price for the Market Areas as established by Tennessee Gas Pipeline Company for Rate Schedule LMS-MA. The Net Imbalance Percentage shall be determined by dividing the net imbalance by the receipts for the Customer's account net of fuel retention. The Reference Price shall be adjusted as provided in the following table:

<u>Net Imbalance Percentage</u>	<u>Percentage of Reference Price</u>
0 through 5%	100%
>5% through 10%	115%
>10% through 15%	130%
>15% through 20%	140%
>20%	150%

Purchases by the Customer will be at the adjusted reference prices plus \$0.0895, subject to change with Tennessee Gas Pipeline Company's Imbalance Transportation Charge, converted to mcf by a 1.038 btu factor.


(O)

(O) Indicates Omission

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RULES AND REGULATIONS FOR THE TRANSPORTATION OF NATURAL GAS  
(Continued)

VII. MONTHLY BALANCING (Continued)

(b) Cashout by Purchase from Customer

In any month where the receipts for the Customer's account, net of fuel retention, are greater than the total of 1) deliveries to a Customer, and 2) an amount that brings the end of month bank balance to the bank allowance: the Net Imbalance shall be resolved by the Customer selling to the Company at a price that shall be calculated as follows:

The Reference Price shall be equal to the monthly Low Price for the Market Areas as established by Tennessee Gas Pipeline Company for Rate Schedule LMS-MA. The Net Imbalance Percentage shall be determined by dividing the net imbalance by the receipts for the Customer's account net of fuel retention. The Reference Price shall be adjusted as provided in the following table:

<u>Net Imbalance Percentage</u>	<u>Percentage of Reference Price</u>
0 through 5%	100%
> 5% through 10%	85%
>10% through 15%	70%
>15% through 20%	60%
>20%	50%

Purchases from the Customer will be at the adjusted reference prices less \$0.0895, subject to change with Tennessee Gas Pipeline Company's Imbalance Transportation Charge, converted to mcf by a 1.038 btu factor.

**RULES AND REGULATIONS FOR THE TRANSPORTATION OF NATURAL GAS**  
(Continued)

**VIII. (C)PENALTY AND OTHER CHARGES FOR FAILURE TO INTERRUPT OR CURTAIL**

Interruptible service may be restricted up to 100% by the Company upon reasonable notice, generally 24 hours, unless unforeseen conditions affecting the Company's gas system require shorter notice. Such notification shall be deemed to be given by telephonic communication from the Company's dispatcher to the Customer's representative, as designated by the Customer and record thereof maintained at its dispatcher's station.

(C)

If a Customer fails to interrupt or curtail after notice has been given by the Company, a penalty equal to the calculation of 48% of the customer's usage for the four month period of winter gas, as determined from the most immediate preceding 12 month period ending June 30, times \$0.644 shall be assessed.

Any penalty or other charge for failure to interrupt or curtail shall be in addition to all charges including, but not limited to, the commodity charge, as otherwise specified in the transportation tariff. Should the Company incur, directly or indirectly, as a result of the Customer's failure to interrupt or curtail, penalties or other charges, these penalties and charges shall also be paid by the Customer to the Company.

**IX. DELAYED PAYMENT PENALTY**

On all accounts not paid (O) within twenty (20) days of the date of the bill, one percent (1%) per month will be added to the unpaid portion.

**X. RETURNED CHECK CHARGE**

A service charge equal to the amount charged by the utility's banking institution, not to exceed \$15.00, will be imposed upon any customer whose check for payment of charges is returned by said customer's bank due to insufficient funds.

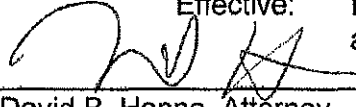
(O)

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RULES AND REGULATIONS FOR THE TRANSPORTATION OF NATURAL GAS  
(Continued)

XII. LOCAL TAX SURCHARGES

The above rates and customer charges are subject to all local tax surcharges.

XIII. SPECIAL PROVISIONS

- (a) An amount equal to the Standby Charges and Daily Balancing Fees collected by the Company for transportation service will be credited to the next applicable cost of gas calculation made pursuant to Rule 30-C of the Rules and Regulations of the Public Service Commission of West Virginia.
- (b) The customer is responsible for providing or causing to be provided to the company any and all information requested by the Company in order to verify the volumes of gas delivered into the company's system or on behalf of the Customer.
- (c) Each Customer under this classification warrants that it will, at the time it delivers gas to the Company for transportation, have good and merchantable title to all such gas free and clear of all liens and encumbrances and claims whatsoever. The Customer shall indemnify the Company and save it harmless from all suits, actions, debts, accounts, damages, costs, losses, and expenses arising out of the adverse claims of any or all persons to said gas including claims for any gas royalties, taxes, license fees or charges applicable to such gas or to the delivery of such gas to the Company for transportation.
- (d) The Company reserves the right to reject any application for service or nominations under this classification where, in the initial discretion of the Company, the provision of service would or might result in a reduction in the Company's rights or ability to receive service, purchase gas or utilize capacity on the pipeline suppliers, impair or interfere with the Company's operations, or impose costs in excess of those subject to recovery under these rates. This provision shall include, but is not limited to, the transmission system of the Company's interstate pipeline supplier.



RULES AND REGULATIONS FOR THE TRANSPORTATION OF NATURAL GAS  
(Continued)

XIII. SPECIAL PROVISIONS (Continued)

- (e) Customer is responsible for making advance written (facsimile acceptable) nominations to Company for the quantity of gas to be received for Customer's account as specified in the transportation contract. All such nominations must be submitted by the deadlines established by Company and the upstream pipelines and are subject to acceptance by both. Customer shall endeavor to ensure that the monthly quantity of gas received by Company for Customer's account, after adjustment for fuel, matches the quantity of gas accepted by Customer at its facilities. All imbalances on upstream pipelines are Customer's responsibility.
- (f) Installation of Telemetry
1. In order to be eligible to receive transportation service, all customers must have telemetry equipment installed at each Customer meter, unless the Customer elects to pay the Standby Charge. The Customer shall be responsible for all costs to install such equipment, including the contribution in aid of construction gross up tax and the Company (or its designee vendor) shall be responsible for the choice of and installation of telemetry equipment.
  2. Requests for telemetry installation shall be addressed on a first come first served basis, based upon the actual receipt by the Company of notification that the phone line and telemetry mounting surface is complete.
  3. The total installation cost will be financed by the Company at 0% (zero percent) interest with the customer making monthly payments over thirty six month period with each monthly payment equal to 1/36 of the total cost of the telemetry installation. Failure to pay any amounts owed will be treated in accordance with the Company's normal collection and discontinuance of service policies.

RULES AND REGULATIONS FOR THE TRANSPORTATION OF NATURAL GAS  
(Continued)

XIII. SPECIAL PROVISIONS (Continued)

(f) Installation of Telemetry (continued)

4. As an alternative to installing telemetry, the Customer may elect to pay a Standby Charge per Mcf on all its usage.
  5. Upon installation of the telemetry equipment, Union shall own and maintain such equipment.
  6. The Company may require that the Customer enter into any agreements consistent with the provisions of the transportation rate schedules.
  7. In the event the customer's telemetry equipment fails to provide daily usage information the Company will estimate the Customer's usage for each day the daily information is not available as the average daily usage for the month, or the Company may choose to use the Customer's peak day to calculate the daily usage during days when the Customer's daily usage may be estimated to be above average for the month. The peak day will be based on one percent (1%) of the individual customer's total usage for the fiscal year ended June 30 of the preceding year. For facilities with less than twelve (12) month usage history, the company may estimate the Customer's peak day.
- (g) The cost of any modifications to existing facilities or of any new facilities required to provide transportation service under this rate schedule shall be paid by the customer. Such payment shall be made to the Company prior to the start of construction, unless the Company agrees to other arrangements at its option.

RULES AND REGULATIONS FOR THE TRANSPORTATION OF NATURAL GAS

(Continued)

XIII. SPECIAL PROVISIONS (Continued)

- (h) Customer shall pay Company the amount of all charges related to transportation of Customer's gas which are billed to Company by any other transporter. Customer shall also pay Company the amount of all charges arising out of its transportation agreements which are not otherwise specified in this tariff or in the transportation agreement, including those which the Public Service Commission or any other governmental body requires Transporter either to bear or to collect from customer.

POOLING SERVICE FOR INTERRUPTIBLE GAS TRANSPORTATION

Definitions

For the purpose of Interruptible Gas Transportation Pooling Service, the following definitions shall apply:

**“Customer”**

Shall have the same meaning as that shown in the definition section found elsewhere in the Company’s Tariffs. A Pool Operator may also be a Customer but only as set forth in these Interruptible Gas Transportation Pooling Service Tariff provisions. For clarity, Pool Operator shall only be referred to as Pool Operator herein and not as Customer.

**“Customer Letter Agreement”**

Shall be the “Customer Letter of Understanding Regarding Participation in Interruptible Gas Transportation Pooling Service.”

**“End User”**

Any individual, firm or organization which is the ultimate consumer of natural gas.

**“Human Needs Customer”**

A Customer whose facilities are used for residential dwelling on either a permanent or temporary basis; commercial Customers of a residential nature; other Customers whose predominant factor; and civil and governmental Customers whose facilities are required in the performance of protecting and preserving the public health, safety, and welfare. Such facilities shall include, but are not limited to, houses, apartment buildings, correctional institutions, schools, hospitals, nursing homes, motels, hotels, charitable institutions and endusers whose facilities are required in the performance of protecting and preserving the public health and safety.

POOLING SERVICE FOR INTERRUPTIBLE GAS TRANSPORTATION

Definitions (Continued)

**“Interruptible Pool”**

An aggregation of multiple interruptible transportation accounts of one or more natural gas End Users that have executed a Customer Letter Agreement with the Company and for which the daily imbalances attributable to End Users account (s) are to be netted and billed to the Pool Operator instead of the End Users. If an Interruptible Pool is made up solely of multiple points of delivery for one End User, it is referred to as an individual member Interruptible Pool, whereas a Pool made up of two or more Customers is referred to as a multiple member Interruptible Pool.

**“Distribution Area”**

A contiguous Company pipeline (s) which may include one or more pipeline delivery points to End Users and one or more receipt points from other third party pipelines. Two or more such areas which are interconnected by any third pipeline shall be considered a single Distribution Area.

**“Interruptible Pool Member” or “Pool Member”**

An individual End User assigned to a pool

**“Marketer” or “Supplier”**

An entity that obtains gas supply and offers that supply to one or more End Users

**“Pooler” or “Pool Operator”**

The entity which has entered into a “Natural Gas Pooling Agreement for Interruptible Gas Transportation Services” with the Company.

**“Pool Operator Agreement”**

Shall be the “Natural Gas Pooling Agreement for Interruptible Gas Transportation Services” executed between the Company and the Pool Operator.

**“Qualified Pool Operator”**

A Pool Operator who nets daily imbalances on behalf of two or more interruptible transportation Customers and who has been certificated pursuant the Commission’s Rules and Regulations and has met the requirements of the Company’s Tariffs.

POOLING SERVICE FOR INTERRUPTIBLE GAS TRANSPORTATION

Availability

Pooling Service shall be available throughout the Company's service territory to (1) End Users receiving Interruptible Gas Transportation Service who are acting as their own Pool Operator for netting of daily imbalances, and/or (2) Pool Operators who have contracted to net daily imbalances attributable to two or more interruptible transportation Customers as part of a qualifying pool as determined within these rules.

Pool Operator Eligibility

A Pool Operator may manage the gas supplies for two or more interruptible transportation Customers for the sole purpose of netting daily imbalances. A Pool Operator may also serve as the marketed agent for gas supply purposes for the End User Pool Members and may also provide supply for End Users who are receiving transportation service but not Pooling Service. Before commencing Interruptible Gas Transportation Pooling Service, a Pool Operator must (a) be certificated by the Public Service Commission of West Virginia (Commission) in compliance with the Commission's Rules and provide to the Company proof of such certification, (b) execute a Pool Operator Agreement with the Company, which shall set forth specific covenants and obligations undertaken by the Company and Pool Operator under the Company's Tariff in consideration of the Customers involved in any such Interruptible Pools, (c) abide by all rules governing Pooling Service, and (d) establish creditworthiness or else provide a security deposit to the Company in the form of cash or in the form of a guaranty agreement issued by a financially responsible guarantor. The amount of the deposit that may be required will not exceed one-sixth (1/6) of the estimated average annual balancing fees for the associated Customer accounts in a Pool Operator's Interruptible Pools. Estimated average annual balancing fees shall be defined as the total of two-thirds (2/3) of the historical daily imbalances for all Interruptible Pool Member accounts during the most recent twelve (12) months. If the Pool Operator has provided a security deposit to the Company, the Company may require the Pool Operator to adjust the amount of the security deposit as Customers are added, and the Pool Operator may require the Company to adjust the amount of the security deposit as Customers are removed to/from the pool(s). Customers may serve as a Pool Operator for their own accounts without receiving certification from the Commission. However, such Pool Operator may not serve as Pool Operator for other Customer accounts without receiving certification from the Commission.

**POOLING SERVICE FOR INTERRUPTIBLE GAS TRANSPORTATION**

(Continued)

**Customer Eligibility to Participate in Interruptible Transportation Pooling Service**

All Customers who elect to participate as an Interruptible Pool Member must meet the following qualifications:

- 1) The Customer must have telemetry equipment installed on its metering devices and provide a dedicated telephone line to be used for electronic transmission to telemetry determined daily usages.
- 2) As of the date of the Commission order approving these tariffs, the Customer must be, or previously have been, an Interruptible Transportation Customer, or be an industrial or commercial customer that requests and is eligible to receive interruptible transportation service for new or incremental load.
- 3) A customer may participate as an Interruptible Pool Member commencing twelve (12) months subsequent to the effective date of the Company's Tariff provisions establishing Interruptible Gas Transportation Pooling Service if the Customer is an industrial Customer who was not an existing interruptible transportation Customer on or before such effective date.
- 4) A customer may participate as an Interruptible Pool Member beginning twenty-four (24) months subsequent to the effective date of the Company's Tariff provisions establishing Interruptible Gas Transportation Pooling Service of the Customer if the Customer is a commercial Customer who was not an existing or previous interruptible transportation Customer on or before such effective date.
- (O) 5) Human Needs Customers as defined herein are not eligible for Interruptible Gas Transportation Pooling Service unless such Customer pays the applicable Standby Charge or has Alternate Fuel Capability. Such Alternate Fuel Capability shall be sufficient to provide necessary protection of public health, safety, and welfare of the involved inhabitants at such facility for a period of no less than seven days, and acknowledgment of the above is required through the execution of the Customer Letter Agreement.

(O) Indicates Omission

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David B. Hanna, Attorney

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POOLING SERVICE FOR INTERRUPTIBLE GAS TRANSPORTATION  
(Continued)

Customer Eligibility to Participate in Interruptible Transportation Pooling Service  
(Continued)

- 6) A qualifying Customer account may participate in only one Interruptible Pool during any given month, Customer must provide the Company with thirty (30) day advance written notice of the Customer's intent to terminate membership in the pool.
- 7) A qualifying Customer account may only be eligible to participate in an Interruptible Pool effective on the first day of a given month with thirty(30) days notice and after submission to the Company of all required documentation.
- 8) Each customer must execute a Customer Letter Agreement, as referenced in item (5) above, supplied by the Company which provides assurance to the Company that the Customer has knowingly selected the option to have its account pooled and understands the potential ramifications of selecting Interruptible Gas Transportation Pooling Service.
- 9) A Pool Operator shall not be considered a transportation customer; provided, however, functioning as a Pool Operator shall not deprive an End User from its status as a transportation Customer.

Characteristics of Interruptible Pools

Each Customer participating in an Interruptible Pool must be located in the same Distribution Area.



**POOLING SERVICE FOR INTERRUPTIBLE GAS TRANSPORTATION**  
(Continued)

**Billings/Rate to Pool Operators**

Each month, the Company shall issue one bill to the Pool Operator for each interruptible Pool by the 20<sup>th</sup> day of the calendar month for Services rendered during the preceding month. The bill for all netted accounts included in the pool shall consist of the charges listed hereafter:

1. Daily Balancing Fees;
2. Municipal or other taxes required to be collected by the Company for a municipality, state or federal government, or other taxing authority;

Pool Operators of Interruptible Pools shall pay the following fees to the Company in addition to those charges previously stated above:


1. A Pool Operator Initiation Fee of \$100 shall be assessed only once when the Pool Operator first applies to pool interruptible transportation customer accounts and after providing proof to the Company of certification by the Commission.
2. A Pool Administrative Fee of \$5 per account shall be assessed monthly based upon the number of accounts in the pool.
3. Delayed Payment Penalty: On all accounts not paid in full within twenty (20) days of the date of bill, one percent (1%) per month will be added to the unpaid portion.
4. Returned Check Charge: A service charge equal to the amount charged by the utility's banking institution, not to exceed \$15.00, will be imposed upon any customer whose check for payment of charges is returned by said customer's bank due to insufficient funds.

(C) Indicates Change in language

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Charleston, WV

P.S.C. W.Va. No. 37  
First Revision of Sheet No. 27  
Canceling Original Sheet No. 27

**POOLING SERVICE FOR INTERRUPTIBLE GAS TRANSPORTATION**  
(Continued)

**Billings/Rate to Pool Operators** (continued)

(O)

Interruptible Pool Members shall be billed by the Company and shall be responsible for all other Company charges not stated above.

**Interruptions/Curtailments of Customer Accounts Included in Interruptible Pools**

The Interruptible Service provision of the Transportation Rate Schedule shall apply to Customer accounts that have elected to participate in an Interruptible Pool.

**Nominations**

Nominations for Pool, Member Accounts will continue to be made at the account level.

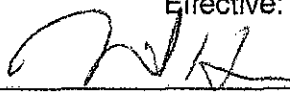
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POOLING SERVICE FOR INTERRUPTIBLE GAS TRANSPORTATION  
(Continued)

Effective Date/Term of Interruptible Pooling

Interruptible Gas Transportation Pooling Service may commence on the Company's system on the first day of the calendar month sixty (60) days following the Commission Order approving these tariff provisions. Pool Operators and Interruptible Pool Members must submit all required documentation to the Company at least thirty (30) days prior to the first day of the calendar month for an account to become eligible for Interruptible Gas Transportation Pooling Service.

The Pool Operator is responsible for payment of all charges set forth herein applicable to any involved Interruptible Pools. In the event the Company has not received timely payment from a Pool Operator, the Company shall assess delayed payment charges pursuant to the Company's Tariff provisions in addition to the Company's rights to initiate collection activities pursuant to the provisions of Rule 4.8 of the Commission's Rules and Regulations for the Government of Gas Utilities and Gas Pipeline Safety. The Company shall have the right to terminate the Pool Operator's ability to operate Interruptible Pools, cease taking gas from Pool Operator pursuant to Pool Operator's agency relationship, if any, to Interruptible Transportation customers, and collect any/all outstanding arrearage against any security deposit provided to the Company by the Pool Operator. In the event that the Company takes action to terminate a Pool Operator, the Company shall provide actual, expedited notice of the termination to each Interruptible Pool Member included in the associated Interruptible Pool. The Company may also terminate its agreement with the Pool Operator as result of the failure of the Pool Operator to perform in accordance with the contractual terms and obligation of such agreement or due to other default by the Pool Operator.

Creditworthiness of the Pool Operator

If the Pool Operator has not established creditworthiness with the Company, the Company may request that Pool Operator provide to the Company, on a confidential basis, recent financial statements to demonstrate the Pool Operators financial fitness to be responsible for the payment of the pool's balancing fees. The Company will not unreasonably withhold approval of a Pool Operator's creditworthiness. The Pool Operator also agrees to allow the Company to conduct a credit investigation as to Pool Operator's creditworthiness, if deemed necessary in the Company's reasonable opinion. After reviewing financial information provided by Pool Operator, if the Company deems it necessary, Pool Operator may be required to provide a security deposit as set forth in the Pool Operator Eligibility section of this Rate Schedule.