



Ohio Administrative Code Rule 4901:1-13-02 Purpose and scope.

Effective: August 5, 2021

(A) The rules in this chapter:

- (1) Apply to investor-owned gas or natural gas companies, as defined in this chapter.
- (2) Are intended to promote reliable service to consumers and the public, and to provide minimum standards for uniform and reasonable practices.
- (3) Unless otherwise specified, apply to both residential and nonresidential gas or natural gas service.

(B) The commission may, in addition to the rules in this chapter, require gas or natural gas companies to furnish other or additional service, equipment, and facilities upon any of the following:

- (1) The resolution of a commission-ordered investigation.
- (2) Formal or informal commission resolution of a complaint.
- (3) The application of any gas or natural gas company.

(C) The commission may, upon an application or a motion filed by a party, waive any requirement of this chapter, other than a requirement mandated by statute, for good cause shown.

(D) The rules in this chapter shall not relieve the gas or natural gas companies from either of the following:

- (1) Providing adequate service and facilities as prescribed by the commission.
- (2) Complying with the laws of this state.



(E) Except as set forth in this rule, the rules of this chapter supersede any inconsistent provisions, terms, and conditions of the gas or natural gas company's tariffs. A gas or natural gas company may adopt or maintain tariffs providing superior standards of service, reliability, or greater protection for customers or consumers. Further, a gas or natural gas company may adopt or maintain tariff provisions which involve other areas not addressed by the rules of this chapter.

(F) When a gas or natural gas company in a complaint proceeding under section 4905.26 of the Revised Code demonstrates compliance with the relevant service or performance standard of this chapter, a rebuttable presumption is created that the gas or natural gas company is providing adequate service regarding that standard. Such presumption applies solely to the specific standard addressed by the commission for the time period at issue in the complaint proceeding. No such presumption is created merely by compliance with any reporting requirement of this chapter. In addition, to the extent the service and performance standards in this chapter are based on system-wide data, no such rebuttable presumption is applicable to complaints regarding the adequacy of service provided either to individual customers or consumers or to any segment of the system of a gas or natural gas company.

(G) Each citation contained with this chapter that is made to a section of the United States code or a regulation in the code of federal regulations is intended, and shall serve, to incorporate by reference the particular version of the cited matter that was effective at the time of the effective date of this rule.

(H) No tariff of a gas or natural gas company shall incorporate exculpatory clauses that purport to limit or eliminate liability on the part of the gas or natural gas company to its customers or others as a result of its own negligence when providing a regulated service. No gas or natural gas company tariff shall incorporate provisions which purport to establish liability on the part of the gas or natural gas company's customers for acts or failures to act involving a gas or natural gas company's facilities, which are beyond the control of the customer. Any contrary provisions in a gas or natural gas company's tariff now on file with the commission shall be eliminated.