



Ohio Administrative Code

Rule 4901:1-15-07 Amendment of certificates for waterworks companies and/or sewage disposal system companies.

Effective: August 22, 2008

(A) Before extending a waterworks system and/or a sewage disposal system beyond the boundaries of the area for which a certificate of public convenience and necessity has previously been granted, the holder of the certificate shall apply to the commission for an amendment to the certificate for the proposed expansion area.

(B) An application to amend a certificate shall be executed and filed with the commission. Public hearing on and notice of an application to amend a certificate of public convenience and necessity shall be governed by rule 4901:1-15-05 of the Administrative Code. If the event requiring the certificate to be amended, results in a change in the information required by rule 4901:1-15-05 of the Administrative Code, this information shall be updated and filed along with the below information:

(1) A statement stating whether or not additional construction (excluding any main extensions) will be necessary to serve the new territory. If new construction will be required, the applicant shall file:

(a) A general description of the facility to be constructed. If the applicant is proposing a self-contained water or sewer plant or system, the applicant shall file the information required by paragraph (D)(7) of rule 4901:1-15-05 of the Administrative Code.

(b) The approximate cost of the additional facility.

(c) A statement explaining how soon construction will begin, assuming the commission grants the amendment.

(d) A statement explaining how soon, after construction is commenced, the applicant will be able to initiate service to the amended service area.

(C) If a waterworks company and/or sewage disposal system company operating in a grandfathered area within the state of Ohio proposes to extend the boundaries of the system(s) to serve additional



territory, and if the company is not the holder of a certificate of public convenience and necessity for the area presently served, the company shall apply to the commission for a certificate of public convenience and necessity for the existing and proposed expansion area as required by rule 4901:1-15-05 of the Administrative Code.

Note: The commission will interpret the phrase "or expanding", as used in section 4933.25 of the Revised Code, as referring to territorial expansion of a service area.

(D) Amendment for limitation of service.

If, after a certificate of public convenience and necessity has been granted by the commission, the holder of the certificate finds himself/herself unwilling or unable to meet the full requirements for service as stated in the application, the holder shall apply to the commission for an amended certificate in which authority to render waterworks service and/or sewage disposal service shall be limited in accordance with his/her capabilities.