

TO BE RESCINDED

4901:5-25-01 **Definitions.**

As used in this chapter:

(A) "Gas supplier" means:

- (1) A gas company or natural gas company, as defined in section 4905.03 of the Revised Code;
- (2) A pipe-line company, as defined in section 4905.03 of the Revised Code, when engaged in the business of transporting gas by pipeline;
- (3) A natural gas company owned by a municipal corporation;
- (4) Any producer, gas broker, or person engaged in the business of supplying gas to gas companies, natural gas companies, pipe-line companies or consumers within this state; and
- (5) Any person that owns, operates, manages, controls or leases intrastate:
 - (a) Gas pipelines;
 - (b) Storage fields or pools; or
 - (c) Gas gathering lines.

(B) "Gas priority uses" means the amount or supply of gas necessary for protection of the public health, safety or welfare, and for prevention of unnecessary or avoidable damage to property, at the following facilities:

- (1) Residences which shall means single family homes, multiple family homes, apartments, condominiums, cooperatives, housing projects, manufactured homes, nursing homes, homes for the aging, rest homes, residential facilities for persons with developmental disabilities or with mental illness, shelters for the homeless or victims of domestic violence, shelters established by the red cross and governmental agencies, and other residential facilities;
- (2) Hospitals;
- (3) Medical and human life-support systems, blood banks and outpatient health

facilities and physicians' offices;

- (4) Electric power generating facilities and central heating plants serving the public;
- (5) Telephone, radio, television, and newspaper facilities;
- (6) Police, fire-fighting, emergency management and response facilities, military bases, federal facilities essential to national defense, and Ohio national guard facilities;
- (7) Sanitary service facilities for collection, treatment, or disposal of sewage;
- (8) Production facilities for gas, propane, and petroleum fuels and for fuel refineries;
- (9) Pipeline transmission and distribution facilities for gas, propane, and petroleum fuels;
- (10) Production, processing, distribution, and storage facilities for perishable medicines and medical suppliers, dairy products, meat, fish, poultry, eggs, produce, grain, bread, and livestock and poultry feed;
- (11) Plant protection required to prevent physical harm to plant facilities or danger to plant personnel, or to protect feedstock which would otherwise be destroyed; and
- (12) Such other similar uses as may be determined by the commission.

(C) "Gas" means:

- (1) Natural gas, artificial or synthetic gas, or a mixture of those gases; and
- (2) Petroleum gas.

(D) "Consumer" means a person who controls consumption of gas from a gas utility including sales and transportation customers of a gas utility.

(E) "Emergency" means:

- (1) The governor has filed a written declaration of an energy emergency pursuant to

section 4935.03 of the Revised Code that the health, safety, or welfare of the residents of this state or of one or more counties of this state is so imminently and substantially threatened by a gas shortage or interruption of gas service that immediate action of state government is necessary to prevent loss of life, protect the public health, safety or welfare and prevent unnecessary or avoidable damage to property; and

(2) Such written declaration is in effect or has not been terminated.

(F) "Person" means:

- (1) An individual, corporation, business trust, estate, trust, partnership, association, firm, joint venture or municipal corporation; and
- (2) Any trustee, receiver, assignee, or personal representative of those defined in paragraph (F)(1) of this rule.

Effective: 02/27/2010

R.C. 119.032 review dates: 10/20/2009

CERTIFIED ELECTRONICALLY

Certification

02/16/2010

Date

Promulgated Under: 111.15
Statutory Authority: 4935.03
Rule Amplifies: 4935.03
Prior Effective Dates: 4/16/1987, 2/11/1994