

TO BE RESCINDED

4901:5-29-01 **Definitions.**

(A) "Heating oil supplier" and "propane supplier" mean:

- (1) A heating oil company or propane company owned by a municipal corporation;
- (2) Any producer, broker, or person engaged in the business of supplying heating oil or propane to heating oil companies, propane companies, or consumers within this state; and
- (3) Any person that owns, operates, manages, controls or leases intrastate storage fields or pools.

(B) "Heating oil and propane priority uses" means the minimum amount of heating oil or propane necessary for protection of the public's health and safety, and for prevention of unnecessary or avoidable damage to property, at:

- (1) Residences which shall mean 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 natural gas, artificial or synthetic gas, propane and

petroleum fuels, and crude oil refineries;

- (9) Pipeline transmission and distribution facilities for natural gas, artificial or synthetic gas, propane, and petroleum fuels;
 - (10) Production, processing, distribution, and storage facilities for perishable medicines and medical supplies, 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 feed stock which would otherwise be destroyed; and
 - (12) Such other similar uses as may be determined by the commission.
- (C) "Nonpriority uses" means all uses of heating oils and propane for other than priority uses.
- (D) "Customer" means that person or entity legally responsible to pay for heating oil or propane.
- (E) "End User" means the person or entity who consumes heating oil or propane.
- (F) "Heating oils" mean all oils which can be used as boiler or space heating fuels, including kerosene, #2 heating oil, and #6 heating oil; but excluding fuels used primarily for internal combustion or other types of automotive transportation vehicles or equipment, such as gasoline, diesel, aviation and jet fuel, naphthas, butanes, ethanes, methane, and pentanes; and excluding oils which are not used as boiler or space heating fuels, such as solvents, cutting oils, lubricating oils, and asphalt.
- (G) "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 an energy shortage that immediate action of state government is necessary to prevent loss of life, protect the public health or safety, and prevent unnecessary or avoidable damage to property; and
 - (2) Such written declaration is in effect or has not been terminated.

- (H) "Propane" means a normally gaseous straight-chain hydrocarbon that is colorless and boils at a temperature of minus forty-three point sixty-seven degrees Fahrenheit. Propane is extracted from natural gas or refinery gas streams. It includes all products designated in American Society for Testing and Materials specification D1835 and Gas Processors Association specifications for commercial propane and HD-5 propane.
- (I) "Kerosene" means a petroleum distillate that has a maximum distillation temperature of four hundred and one degrees Fahrenheit at the ten percent recovery point, a final boiling point of five hundred and seventy-two degrees Fahrenheit, and a minimum flash point of one hundred degrees Fahrenheit. Included are the two grades designated in American Society for Testing and Materials D3699: no. 1-K and no. 2-K, and all grades of kerosene called range or stove oil. Kerosene is used in space heaters, cook stoves, and water heaters and is suitable for use as an illuminant when burned in wick lamps.
- (J) "Supplier" means heating oil or propane supplier.
- (K) "Person" means suppliers, customers, and end users.

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Certification

02/16/2010

Date

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