

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

As used in this chapter:

(A) "Commission" means the public utilities commission of Ohio.

(B) "Consumer" means the person who consumes heating oil or propane at a specified location.

(C) "Energy emergency" means:

(1) The governor has filed a written declaration of an energy emergency pursuant to section 4935.03 of the Revised Code, having found 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 with regard to heating oil or propane 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.

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

(D) "Fuel source advisory council" means the advisory group formed by the chairman of the commission to monitor and advise the commission concerning fuel supply or energy shortages and related matters.

(E) "Hardship" means actual or threatened conditions of substantial discomfort and/or economic dislocation.

(F) "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.

(3) Any person that owns, operates, manages, controls, or leases intrastate storage fields or pools.

(G) "Heating oil" means all oil which can be used as boiler or space heating fuel, including kerosene, number two heating oil, and number six heating oil; but excluding fuel used primarily for internal combustion or other types of automotive transportation vehicles or equipment, such as gasoline, diesel, aviation and jet fuel, naphtha, butane, ethane, methane, and pentane; and excluding oil which is not used as boiler or space heating fuel, such as solvent, cutting oil, lubricating oil, and asphalt.

(H) "Kerosene" means a petroleum distillate that has a maximum distillation temperature

of four hundred and one degrees Fahrenheit at the ten per cent 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 generally known as number 1-K and number 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.

- (I) "Nonpriority use" means all use of heating oil and propane for other than priority use.
- (J) "Person" means an individual, corporation, business trust, estate, trust, partnership, state or federal agency, or association.
- (K) Priority use" 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:
- (1) Residences (including, but not limited to, homes, apartments, nursing homes, institutions, and facilities for permanent residents or transients).
 - (2) Hospitals.
 - (3) Medical and human life-support systems and facilities.
 - (4) Electric power generating facilities and central heating plants serving the public.
 - (5) Telephone, radio, television, and newspaper facilities.
 - (6) Local and suburban transit systems and air terminal facilities.
 - (7) Police and firefighting facilities, emergency management and response facilities, military bases, federal facilities essential to national defense, and Ohio national guard facilities.
 - (8) Sanitary service facilities for collection, treatment, or disposal of sewage.
 - (9) Production facilities for natural gas, artificial or synthetic gas, propane and petroleum fuels, and fuel refineries.
 - (10) Pipeline transmission and distribution facilities for natural gas, artificial or synthetic gas, propane, and petroleum fuels.
 - (11) Production, processing, distribution, and storage facilities for perishable medicines and medical supplies, dairy products, meat, fish, poultry, eggs, produce, grain, breads, and livestock and poultry feed.
 - (12) Buildings and facilities, limited to protecting the physical plant and structure, appurtenances, equipment, product inventories, raw materials, livestock, and

other personal or real property.

(13) Water supply and pumping facilities.

(14) Coal mines and related facilities.

(15) Such other similar facilities as may be determined by the commission to be a priority use.

(L) "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 generally used for commercial purposes and products generally known as HD-5 propane.

(M) "Supplier" means heating oil or propane supplier.

Replaces: 4901:5-29-01

Effective:

R.C. 119.032 review dates:

Certification

Date

Promulgated Under: 111.15
Statutory Authority: 4935.03
Rule Amplifies: 4935.03
Prior Effective Dates: 4/16/1987, 5/19/1991, 1/22/1998