

## SECTION VI - APPLICATION

### 1. Application of Rules and Regulations and Rate Schedules.

All Service Agreements as presently in effect or that may be entered into in the future are made expressly subject to these Rules and Regulations and any modifications hereof that may be lawfully made, and subject to all applicable existing Rate Schedules and any lawfully made changes therein, substitutions therefor or additions thereto.

### 2. Agents Cannot Modify Agreement.

No agent has the right to amend, modify or alter the application, rates, terms, conditions, rules or regulations as filed with the Indiana Utility Regulatory Commission, or to make any representation not contained in the Company's schedules, supplements thereto and revisions thereof, lawfully filed with said Commission,

### 3. Curtailment.

The Company shall have the right to limit the sale of gas to firm customers when the Company's suppliers are unable to deliver the total volumes contracted for.

The amount of curtailment required will be determined separately for the Lawrenceburg Division, supplied by the Texas Gas Transmission Corporation, and for the Brookville Division which is supplied by the Texas Eastern Gas Transmission Corporation.

Curtailment shall be assigned in the following order, except that Essential Agriculture Users (EAU) of natural gas, as defined by the Secretary of Agriculture, will be given the opportunity to request and receive curtailment relief, as may be available, in accordance with FERC Order Nos. 29, 29-A and 29-B. After granting curtailment relief to Essential Agriculture Users (EAU) who have requested exemption from curtailment as outlined below, curtailment shall be assigned in the following order:

- a) All customers with General Service Large contracts shall have their off peak deliveries curtailed fully before any firm sales are curtailed.
- b) The first step of firm gas curtailment would be for those Industrial and Commercial customers who for one reason or another have dual fuel installations and will entail that volume of gas that can be replaced with the alternate fuel. Curtailment of the remaining volumes, if any, will be according to one of the remaining categories outlined below.
- c) The second category of customer to be curtailed would be those Industrial and Commercial customers whose production and employment would be unaffected by the curtailed volumes.
- d) The third category of customer to be curtailed would be those Industrial and Commercial customers whose production, but not employment, would be affected by the curtailed volumes.

APPROVED BY  
CONFERENCE MINUTES

SEP 08 2010

INDIANA UTILITY  
REGULATORY COMMISSION

Effective: \_\_\_\_\_

**SECTION VI - APPLICATION (Contd.)**

- e) The fourth category of customers would be those Industrial and Commercial customers whose production and employment would both be affected by curtailment.
- f) The last category of customers to be curtailed would be residences, including homes apartments, hotels, dormitories, etc., and other human needs requirements, such as service to schools, churches, hospitals, sanitariums, etc.

Essential Agriculture Use Relief - If an EAU is affected by the impact of the order of curtailment, then each customer affected who desires relief will be required to file an affidavit reporting the EAU volumes needed. The Company will summarize the EAU relief requests resulting from the announced curtailment and the Company will request of its suppliers, the Texas Gas Transmission Corporation and/or the Texas Eastern Transmission Corporation will in turn forward the request to the Texas Gas Transmission Corporation, its sole supplier.

Additional volumes received from the Company's suppliers, if not adequate to cover the total shortages, will be prorated among the customers seeking relief, based on each customer's individual contract demands for peak day, monthly and seasonal volumes.

This provision for relief, although not guaranteeing EAU customers exemption from curtailment, provides a procedure for requesting relief from Company's suppliers and allocating any additional volumes received to EAU customers.

**4. Adoption of Commission Rules and Regulations.**

The Rules, Regulations and Standards of Service for Gas Public Utilities in Indiana as adopted by the Public Service Commission of Indiana in Cause No. 34613 effective October 14, 1976 and Cause No. 37227 effective November 1, 1983 and any subsequent deletions, additions or revisions thereto are by reference made a part of these rules.

Former specific Company Rules and the corresponding Commission Rule are indicated as follows:

<u>Company Rule</u>	<u>Commission Rule</u>
Gas Main Extension	25
Right of Way	25
Installation of Meters	5, 6
Meter Tests	4, 7, 11 and 12
Adjustments to Billing	14
Credit and Deposit Provisions	15
Notice of Disconnection	16

Copies of the Company's Rules and the Commission's Rules are on file at the office of the Company and Commission.

APPROVED BY  
CONFERENCE MINUTES

**SEP 08 2010**

INDIANA UTILITY  
REGULATORY COMMISSION  
Effective: \_\_\_\_\_