

# **Bond Case Briefs**

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## **PUBLIC UTILITIES - OHIO**

### **In re Application of Suburban Natural Gas Company**

**Supreme Court of Ohio - September 21, 2021 - N.E.3d - 2021 WL 4269964 - 2021-Ohi-3224**

Public gas utility filed application with the Public Utilities Commission of Ohio (PUCO) for a rate increase to cover costs of a pipeline extension. PUCO approved the rate increase and denied consumers' application for a rehearing.

Consumers appealed.

The Supreme Court held that:

- As a matter of first impression, assessing whether property is “useful” for purposes of determining a public utility’s rate base requires finding that the property be beneficial in rendering service for the convenience of the public as of the date certain, and
- PUCO misapplied the used-and-useful test when it looked beyond the date certain and determined that utility’s investment in the pipeline extension was prudent rather than useful, as justification for rate increase.