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PUBLIC UTILITIES - OHIO

East Ohio Gas Company v. Croce

Supreme Court of Ohio - January 14, 2026 - N.E.3d - 2026 WL 96843 - 2026-Ohio-75

Public utility filed petition for writ of prohibition to prevent the Court of Common Pleas from exercising subject matter jurisdiction over gas producers' class action alleging that utility was not compensating them for natural gas that they inserted into utility's pipeline system, asserting that Public Utilities Commission of Ohio (PUCO) had exclusive jurisdiction.

Producers intervened.

The Ninth District Court of Appeals entered summary judgment in utility's favor, and producers appealed.

The Supreme Court held that PUCO had exclusive jurisdiction over producers' claims.

Public Utilities Commission of Ohio (PUCO) has exclusive jurisdiction over various matters involving public utilities, such as rates and charges, classifications, and service, effectively denying to all Ohio courts—except Supreme Court—any jurisdiction over such matters.

Resolution of natural gas producers' class action alleging that public gas utility was not compensating them for gas that they inserted into utility's pipeline system ultimately depended on whether allegedly tortious conduct was permitted by utility's tariff—i.e., whether utility carried out reconciliation process set forth in its tariff correctly, and thus Public Utilities Commission of Ohio (PUCO) had exclusive jurisdiction over producers' claims; gravamen of producers' complaint was that utility's measurement or practice of reconciling measurements was unreasonable, there was no contract governing disputed issue, and practices of receiving gas into pipeline system, measuring it, pooling it, and conducting reconciliation process were practices normally authorized by public utility.