



## Ohio Administrative Code Rule 4901:1-34-05 Stipulations.

Effective: December 1, 2014

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(A) If staff and the natural gas company, retail natural gas supplier, or governmental aggregator reach agreement regarding any of the following, the agreement must be reduced to writing: the violation of a rule within this chapter, and/or Chapter 4901:1-13, 4901:1-27, 4901:1-28, or 4901:1-29 of the Administrative Code; the violation of any provision of Chapter 4929. of the Revised Code, the violation of a commission order; a proposed corrective action or remedy; or the amount of a forfeiture or other payment. Such stipulation shall be signed by an officer of the company or its attorney and the assistant attorney general who serves as legal counsel for the staff. The stipulation shall not be effective until the stipulation is filed with and approved by and made the order of the commission.

(B) If the stipulation provides for the payment of a forfeiture or other payment by a natural gas company or retail natural gas supplier of one thousand dollars or less, the stipulation shall be accepted by the commission and fully enforceable upon the natural gas company or retail natural gas supplier upon its execution.

(C) Unless contained in or otherwise provided in a stipulation, no statement or conduct during settlement negotiations is admissible in any commission proceeding regarding the noncompliance.

(D) Where a natural gas company or retail natural gas supplier has demonstrated to the staff's satisfaction, as confirmed in writing from the commission's director of the service monitoring and enforcement department or the director of utilities department or his/her designee, that the violation(s) listed in the staff notice (or amended staff notice) of probable noncompliance or investigative report has been corrected, the violation(s) listed in such staff notice of probable noncompliance or investigative report shall be considered by the commission as part of the company's or supplier's history of violations only for purposes of determining the appropriate forfeiture or corrective action for any future violation.