

Rule Summary and Fiscal Analysis (Part A)**Development Services Agency**

Agency Name

Division

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122:5-3-02

Rule Number

AMENDMENT

TYPE of rule filing

Rule Title/Tag Line

Criteria for customer eligibility.**RULE SUMMARY**

1. Is the rule being filed for five year review (FYR)? **Yes**
2. Are you proposing this rule as a result of recent legislation? **No**
3. Statute prescribing the procedure in accordance with the agency is required to adopt the rule: **119.03**
4. Statute(s) authorizing agency to adopt the rule: **4928.53**
5. Statute(s) the rule, as filed, amplifies or implements: **4928.51 through 4928.57**
6. State the reason(s) for proposing (i.e., why are you filing,) this rule:
Five year review as required by the Ohio Revised Code.
7. If the rule is an AMENDMENT, then summarize the changes and the content of the proposed rule; If the rule type is RESCISSION, NEW or NO CHANGE, then summarize the content of the rule:

Revisions were made to a codify business rule, simplify processes, align to the PUCO rules for gas PIPP Plus and to update the agency's, office's and the program's

names.

The procedure for the application of overpayments was one of the business rules developed during the implementation of the 2009 electric PIPP Plus rule revisions. The intent is to hold harmless, customers who may pay in advance of what is required. The PUCO adopted the Ohio Development Services Agency rule in order to align the rules.

The utility process for determining and reporting the monthly status of PIPP Plus customers has been simplified. The new procedure will work with the utilities' billing cycles and will provide a better indication of the status of the customers.

The Ohio Development Services Agency aligned with the PUCO on the requirement to make up missed payments annually. This replaces the Ohio Development Services Agency rule that dropped clients for consecutive missed payments.

For clarity and alignment, revisions were made to the requirements for re-enrolling in PIPP Plus after exiting the program for non-payment or by customer choice. This includes maximum amount that can be required from the customer in order to re-enroll.

The 2009 PIPP Plus rules included rules to manage the transition from the old rules to the revised rules. These transition requirements have been removed.

8. If the rule incorporates a text or other material by reference and the agency claims the incorporation by reference is exempt from compliance with sections 121.71 to 121.74 of the Revised Code because the text or other material is **generally available** to persons who reasonably can be expected to be affected by the rule, provide an explanation of how the text or other material is generally available to those persons:

This response left blank because filer specified online that the rule does not incorporate a text or other material by reference.

9. If the rule incorporates a text or other material by reference, and it was **infeasible** for the agency to file the text or other material electronically, provide an explanation of why filing the text or other material electronically was infeasible:

This response left blank because filer specified online that the rule does not incorporate a text or other material by reference.

10. If the rule is being **rescinded** and incorporates a text or other material by reference, and it was **infeasible** for the agency to file the text or other material,

provide an explanation of why filing the text or other material was infeasible:

Not Applicable.

11. If **revising** or **refiling** this rule, identify changes made from the previously filed version of this rule; if none, please state so. If applicable, indicate each specific paragraph of the rule that has been modified:

Not Applicable.

12. Five Year Review (FYR) Date: **11/25/2014**

(If the rule is not exempt and you answered NO to question No. 1, provide the scheduled review date. If you answered YES to No. 1, the review date for this rule is the filing date.)

NOTE: If the rule is not exempt at the time of final filing, two dates are required: the current review date plus a date not to exceed 5 years from the effective date for Amended rules or a date not to exceed 5 years from the review date for No Change rules.

FISCAL ANALYSIS

13. Estimate the total amount by which *this proposed rule* would **increase / decrease** either **revenues / expenditures** for the agency during the current biennium (in dollars): Explain the net impact of the proposed changes to the budget of your agency/department.

This will have no impact on revenues or expenditures.

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N/A

14. Identify the appropriation (by line item etc.) that authorizes each expenditure necessitated by the proposed rule:

N/A

15. Provide a summary of the estimated cost of compliance with the rule to all directly affected persons. When appropriate, please include the source for your information/estimated costs, e.g. industry, CFR, internal/agency:

The only costs of compliance associated with this rule relate to the utilities' administratio of the requirements.

16. Does this rule have a fiscal effect on school districts, counties, townships, or municipal corporations? **No**

17. Does this rule deal with environmental protection or contain a component dealing with environmental protection as defined in R. C. 121.39? **No**

S.B. 2 (129th General Assembly) Questions

18. Has this rule been filed with the Common Sense Initiative Office pursuant to R.C. 121.82? **Yes**

19. Specific to this rule, answer the following:

A.) Does this rule require a license, permit, or any other prior authorization to engage in or operate a line of business? **No**

B.) Does this rule impose a criminal penalty, a civil penalty, or another sanction, or create a cause of action, for failure to comply with its terms? **No**

C.) Does this rule require specific expenditures or the report of information as a condition of compliance? **No**