

Rule Summary and Fiscal Analysis

Part A - General Questions

Rule Number: 4901:1-10-28
Rule Type: Amendment
Rule Title/Tagline: Net metering.
Agency Name: Public Utilities Commission of Ohio
Division: Utilities
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I. Rule Summary

1. **Is this a five year rule review?** No
 - A. **What is the rule's five year review date?** 10/7/2024
2. **Is this rule the result of recent legislation?** No
3. **What statute is this rule being promulgated under?** 111.15
4. **What statute(s) grant rule writing authority?** 4928.06, 4928.11, 4905.28, and 4928.67
5. **What statute(s) does the rule implement or amplify?** 4928.67, 4928.11, and 4905.28
6. **Does the rule implement a federal law or rule in a manner that is more stringent or burdensome than the federal law or regulation requires?** No
 - A. **If so, what is the citation to the federal law or rule?** Not Applicable
7. **What are the reasons for proposing the rule?**

This rule is being proposed as part of the Commission's effort to comply with R.C. 121.951.
8. **Summarize the rule's content, and if this is an amended rule, also summarize the rule's changes.**

This rule sets forth the definitions and requirements for implementing net metering. The Commission is amending the rule to eliminate 39 regulatory restrictions in accordance with R.C. 121.951.

9. **Does the rule incorporate material by reference? Yes**
10. **If the rule incorporates material by reference and the agency claims the material is exempt pursuant to R.C. 121.75, please explain the basis for the exemption and how an individual can find the referenced material.**

This rule incorporates by reference statutory provisions and other rules set forth in the Ohio Administrative Code. As such, the rule is exempt pursuant to R.C. 121.75(A)(1)(a) and 121.75(A)(1)(d). An individual can find the referenced material by reading the cited statute or rule.

11. **If revising or re-filing the rule, please indicate the changes made in the revised or re-filed version of the rule.**

The rule was refiled to fix a typographical error in an amplifying statute citation to properly reflect R.C. 4928.67.

II. Fiscal Analysis

12. **Please estimate the increase / decrease in the agency's revenues or expenditures in the current biennium due to this rule.**

This will have no impact on revenues or expenditures.

0

Not applicable.

13. **What are the estimated costs of compliance for all persons and/or organizations directly affected by the rule?**

Not applicable.

14. **Does the rule increase local government costs? (If yes, you must complete an RSFA Part B). No**

15. **Does the rule regulate environmental protection? (If yes, you must complete an RSFA Part C). No**

16. If the rule imposes a regulation fee, explain how the fee directly relates to your agency's cost in regulating the individual or business.

Not applicable.

III. Common Sense Initiative (CSI) Questions

17. Was this rule filed with the Common Sense Initiative Office? Yes

18. Does this rule have an adverse impact on business? Yes

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? Yes

Yes. The rule requires electric utilities to report the total number and installed capacity of customer-generators on the electric utility's net metering tariffs for each technology and consumer class on an annual basis.

D. Is it likely that the rule will directly reduce the revenue or increase the expenses of the lines of business of which it will apply or applies? No

IV. Regulatory Restriction Requirements under S.B. 9. Note: This section only applies to agencies described in R.C. 121.95(A).

19. Are you adding a new or removing an existing regulatory restriction as defined in R.C. 121.95? Yes

A. How many new regulatory restrictions do you propose adding to this rule? 0

B. How many existing regulatory restrictions do you propose removing from this rule? 39

Ohio Adm.Code 4901:1-10-28(A): Eliminating regulatory restriction from definitions applicable to the rule.

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Ohio Adm.Code 4901:1-10-28(A): Eliminating regulatory restriction from definitions applicable to the rule.

Ohio Adm.Code 4901:1-10-28(B)(1): Eliminating redundant regulatory restriction related to tariffs.

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Ohio Adm.Code 4901:1-10-28(B)(1): Eliminating regulatory restriction related to tariffs.

Ohio Adm.Code 4901:1-10-28(B)(3): Eliminating regulatory restriction related to availability of tariffs.

Ohio Adm.Code 4901:1-10-28(B)(4): Eliminating redundant regulatory restriction related to tariffs.

Ohio Adm.Code 4901:1-10-28(B)(5): Eliminating redundant regulatory restriction related to tariffs.

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Ohio Adm.Code 4901:1-10-28(B)(9): Eliminating redundant regulatory restriction related to measurement of net metered electricity.

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Ohio Adm.Code 4901:1-10-28(B)(12): Eliminating redundant regulatory restriction related to renewable energy credits.

Ohio Adm.Code 4901:1-10-28(B)(12): Eliminating redundant regulatory restriction related to renewable energy credits.

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Ohio Adm.Code 4901:1-10-28(B)(13): Eliminating regulatory restriction related to the provision of information to the Commission.

Ohio Adm.Code 4901:1-10-28(B)(13): Eliminating regulatory restriction related to the provision of information to the Commission.

C. If you are not removing existing regulatory restrictions from this rule, please list the rule number(s) from which you are removing restrictions.

D. Please justify the adoption of the new regulatory restriction(s).

Not Applicable