

Rule Summary and Fiscal Analysis

Part A - General Questions

Rule Number: 4901:1-15-02
Rule Type: Amendment
Rule Title/Tagline: General provisions.
Agency Name: Public Utilities Commission of Ohio
Division: Utilities
Address: 180 East Broad Street Columbus OH 43215-3793
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I. Rule Summary

1. **Is this a five year rule review?** Yes
 - A. **What is the rule's five year review date?** 4/7/2023
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?** R.C. 4905.04
5. **What statute(s) does the rule implement or amplify?** R.C. 4905.06
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?**

R.C. 121.951(A)(1) rules reduction and five-year review
8. **Summarize the rule's content, and if this is an amended rule, also summarize the rule's changes.**

The rule states that that this chapter governs the furnishing of water and disposal service and facilities to the public by entities that are subject to Commission jurisdiction. Several amendments to these proposed rules are made pursuant to Ohio Revised Code 121.951(A)(1) that requires state agencies to reduce their total number of regulatory restrictions. In addition, other amendments to these proposed rules are pursuant to the Commission's obligation to conduct a five-year review of its administrative rules under R.C 111.15(B) and R.C. 106.03(A).

9. **Does the rule incorporate material by reference? No**
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.**

Not Applicable

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

Not Applicable

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.

n/a

n/a

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

n/a

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.

n/a

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? No
- 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
 - 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? 23

4901:1-15-02(B)(1): Removed regulatory restriction that nothing in this chapter shall in any way preclude the commission from pursuing formal action, at any time, to alter this chapter.

4901:1-15-02(B)(1): Removed regulatory restriction that nothing in this chapter shall in any way preclude the commission from pursuing formal action, at any time, to amend this chapter.

4901:1-15-02(B)(2): Removed regulatory restriction that nothing in this chapter shall in any way preclude the commission prescribing different standards for the rendering of water service as deemed necessary by the commission in any proceeding.

4901:1-15-02(B)(2): Removed regulatory restriction that nothing in this chapter shall in any way preclude the commission prescribing different standards for the rendering of sewage disposal service as deemed necessary by the commission in any proceeding.

4901:1-15-02(B)(3): Removed regulatory restriction that nothing in this chapter shall in any way preclude the commission from waiving any requirement of this chapter, other than a requirement mandated by statute, for good cause shown.

4901:1-15-02(C)(1): Removed regulatory restriction that nothing in this chapter shall in any way preclude the commission from requiring the furnishing of any other or additional service(s), equipment, or facilities affecting water and/or sewage disposal service upon the commission own motion.

4901:1-15-02(C)(2): Removed regulatory restriction that nothing in this chapter shall in any way preclude the commission from requiring the furnishing of any other or additional service(s), equipment, or facilities affecting water and/or sewage disposal service upon a consumer complaint.

4901:1-15-02(C)(3): Removed regulatory restriction that nothing in this chapter shall in any way preclude the commission from requiring the furnishing of any other or additional service(s), equipment, or facilities affecting water and/or sewage disposal service upon an application by any waterworks company.

4901:1-15-03(E)(1): Removed regulatory restriction that nothing contained in this chapter shall relieve any waterworks company from providing adequate service.

4901:1-15-03(E)(1): Removed regulatory restriction that nothing contained in this chapter shall relieve any waterworks company from providing adequate facilities.

4901:1-15-03(E)(2): Removed regulatory restriction that nothing contained in this chapter shall relieve any waterworks company from meeting any of its duties.

4901:1-15-03(E)(2): Removed regulatory restriction that nothing contained in this chapter shall relieve any waterworks company from meeting any of its responsibilities.

4901:1-15-03(E)(1): Removed regulatory restriction that nothing contained in this chapter shall relieve any sewage disposal system company from providing adequate service.

4901:1-15-03(E)(1): Removed regulatory restriction that nothing contained in this chapter shall relieve any sewage disposal system company from providing adequate facilities.

4901:1-15-03(E)(2): Removed regulatory restriction that nothing contained in this chapter shall relieve any sewage disposal system company from meeting any of its duties.

4901:1-15-03(E)(2): Removed regulatory restriction that nothing contained in this chapter shall relieve any sewage disposal system company from meeting any of its responsibilities.

4901:1-15-02(G): Removed regulatory restriction that unless otherwise directed by the commission, all reports shall be filed using such forms as may be posted on the commission's website.

Removing restrictions to correct a typographical error to include a regulatory restrictions that should have been removed in original inventory of restrictions contained in this rule. The original inventory should have reflected 23, but was reported as 17 restrictions existing in this rule.

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- 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