

Rule Summary and Fiscal Analysis

Part A - General Questions

Rule Number: 4901:1-43-04

Rule Type: Amendment

Rule Title/Tagline: Cost recovery rider process.

Agency Name: Public Utilities Commission of Ohio

Division:

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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?** 9/19/2021
2. **Is this rule the result of recent legislation?** Yes
 - A. **If so, what is the bill number, General Assembly and Sponsor?** HB 26 - 132 - Representative McColley
3. **What statute is this rule being promulgated under?** 111.15
4. **What statute(s) grant rule writing authority?** 4929.163, 4929.10
5. **What statute(s) does the rule implement or amplify?** 4929.16, 4929.161, 4929.162, 4929.163, 4929.165, 4929.166, 4929.167
6. **What are the reasons for proposing the rule?**

The rule is being proposed to ensure consistency with the statutory changes enacted through House Bill 26, which amended R.C. 4929.161, 4929.162, 4929.163, and 4929.166 and repealed R.C. 4929.164.
7. **Summarize the rule's content, and if this is an amended rule, also summarize the rule's changes.**

This rule sets forth the process for recovery of economic development project costs through an infrastructure development rider. The rule would be amended to remove a provision related to R.C. 4929.164, which was repealed by House Bill 26.

8. Does the rule incorporate material by reference? No
9. If the rule incorporates material by reference and the agency claims the material is exempt pursuant to R.C. 121.71 to 121.76, please explain the basis for the exemption and how an individual can find the referenced material.

Not Applicable

10. 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

11. As a result of this proposed rule, please estimate the increase / decrease in revenues or expenditures affecting this agency, or the state generally, in the current biennium or future years. If the proposed rule is likely to have a different fiscal effect in future years, please describe the expected difference and operation.

This will have no impact on revenues or expenditures.

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Not Applicable

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

There is no estimated cost of compliance with this rule filing.

13. Does the rule increase local government costs? (If yes, you must complete an RSFA Part B). No
14. Does the rule regulate environmental protection? (If yes, you must complete an RSFA Part C). No

III. Common Sense Initiative (CSI) Questions

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

16. 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**

The rule authorizes natural gas companies to file an application with the Commission for approval of an infrastructure development rider. The rule also requires annual reports to update the infrastructure development rider.