

4901:5-21-04

Actions taken upon declaration of an energy emergency.

- (A) Each coal supplier is expected to:
- (1) Reduce, on an equitable basis, the provision of coal to its consumers for nonpriority use.
 - (2) Assure, to the extent reasonably possible, that all of its consumers practice conservation and restrict their nonessential or inefficient use of coal.
- (B) Each coal supplier that has a surplus supply of coal for its consumers' priority use requirements for the foreseeable future is expected to assure, to the extent reasonably possible, provision of coal to its normal consumers for their priority use requirements for the subsequent thirty-day period, provided:
- (1) Fair compensation is proffered by any new priority use consumers.
 - (2) Any new priority use consumers can substantiate their priority use requirements.
 - (3) No threat to the life, property, health, or safety of the coal supplier's existing consumers would result.
- (C) Each coal supplier that has an inadequate supply of coal for its consumers' priority use requirements for the subsequent thirty-day period is expected to notify the commission of the number, names, and coal type and tonnage required for priority use consumers beyond the capability of the supplier.
- (D) The commission may provide assistance in locating a supply for consumers with inadequate coal for priority use. The commission may accept requests for such assistance for relief of verifiable consumer hardship and emergency conditions. Such requests may be accepted by the commission from either the affected consumer or the coal supplier that would supply the affected consumer. All requests shall be in a manner and form prescribed by the commission and shall comply with any applicable federal laws, regulations, or guidelines.
- (E) The commission may establish a toll-free telephone number for consumers in this state to request state assistance for relief from verifiable emergency or hardship conditions.
- (F) The commission may designate, as priority use, the volume of coal necessary to relieve emergency or hardship conditions found to be extant and may request the consumer's supplier to deliver such product volume to the consumer, provided the consumer offers fair compensation.
- (G) If the commission finds that a supplier has insufficient supply of coal to provide for all consumers' priority use requirements in the current month and/or is unable to

provide product for consumers who, facing emergency or hardship conditions, have had priority use designation by the commission, the commission may request another supplier to provide product.

(H) Each supplier shall encourage all of its consumers to practice coal conservation and to restrict their nonessential or inefficient use of coal.

Five Year Review (FYR) Dates: 11/29/2017 and 11/29/2022

CERTIFIED ELECTRONICALLY

Certification

11/29/2017

Date

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