

Rule Summary and Fiscal Analysis

Part A - General Questions

Rule Number: 4901:5-29-04

Rule Type: Amendment

Rule Title/Tagline: Actions taken upon declaration of an energy emergency.

Agency Name: Public Utilities Commission of Ohio

Division:

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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? 11/29/2017
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? 4935.03
5. What statute(s) does the rule implement or amplify? 4935.03
6. What are the reasons for proposing the rule?

Five-Year Review
7. Summarize the rule's content, and if this is an amended rule, also summarize the rule's changes.

This rule sets forth the actions that heating oil suppliers and propane suppliers must take upon declaration of an energy emergency. As amended, the rule would specify that the governor may request, upon declaration of an energy emergency, that federal priority be given to all highway traffic of essential fuel supplies into this state or a

region of this state affected by the energy emergency, as well as air, rail, barge, and pipeline traffic.

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.

Answer to Adverse Impact on Business Question No. 16 has been changed from No to Yes.

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**

This rule requires heating oil suppliers and propane suppliers to notify consumers regarding a fuel shortage and to report fuel supply information to the Commission upon declaration of an energy emergency.