

Rule Summary and Fiscal Analysis

Part A - General Questions

Rule Number: 4901:5-37-02
Rule Type: Amendment
Rule Title/Tagline: General provisions.
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 general provisions applicable to the chapter. As amended, the rule would specify that the Commission may consult with an independent consultant or other outside entities, as well as the appropriate independent system operator or regional transmission organization.
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? 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? Yes**

This rule provides that the Commission may direct the Ohio Attorney General to bring an action for immediate injunction or other appropriate relief to enforce Commission orders and to secure immediate compliance with the chapter.

- C. Does this rule require specific expenditures or the report of information as a condition of compliance? Yes**

This rule requires electric distribution utilities to submit to the Commission their curtailment plans and amendments on energy shortages or delivery constraints.