



## Common Sense Initiative

**Mike DeWine**, Governor  
**Jon Husted**, Lt. Governor

**Carrie Kuruc**, Director

### MEMORANDUM

**TO:** Angela Hawkins, Legal Director, Public Utilities Commission of Ohio  
**FROM:** Carrie Kuruc, Director, Common Sense Initiative  
**DATE:** July 16, 2019  
**RE:** CSI Review—Net Metering OAC 4901:1-10-28

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On behalf of Lt. Governor Jon Husted, and pursuant to the authority granted to the Common Sense Initiative (CSI) Office under Ohio Revised Code (ORC) section 107.54, the CSI Office has reviewed the abovementioned administrative rule package and associated Business Impact Analysis (BIA). This memo represents the CSI Office's comments to the Commission as provided for in ORC 107.54.

#### Analysis

OAC 4901:1-10-28, Net metering, passed through CSI review in 2013 before the Public Utilities Commission of Ohio (the Commission) withdrew it from legislative review in order to continue working with industry stakeholders at the request of the Joint Committee on Agency Rule Review. Since that time, the Commission and industry stakeholders have discussed the rule in stakeholder workshops and rehearings before the Commission. Resulting changes to the draft rule include a provision that makes the standard net metering tariff available to any customer (whether the customer takes SSO service or shops for generation), the creation of case-by-case waivers for electric distribution utilities that demonstrate full deployment of appropriate advanced meters and compatible billing systems, and a refined definition of "premises" that is consistent with state law and lessens restrictions on deployment of distributed generation.

The Commission notified CSI of its continued work on the rule, provided the proposed updates, and expressed its intention to move towards implementation. The updated draft of the proposed rule is consistent with the requirements of Ohio law. It appears to have a minimum adverse impact on utility companies and a positive impact on customers who wish to generate their own electricity.

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**Recommendations**

The CSI Office does not have any recommendations for this rule.

**Conclusion**

The CSI Office concludes that the Commission should proceed with the formal filing of this rule with the Joint Committee on Agency Rule Review.