



Common Sense Initiative

Mike DeWine, Governor
Jon Husted, Lt. Governor

Sean McCullough, Director

MEMORANDUM

TO: Angela Hawkins, Public Utilities Commission of Ohio

FROM: Ethan Wittkorn, Regulatory Policy Advocate

DATE: July 13, 2021

RE: CSI Review – Electric Companies (OAC 4901:1-10-01, 4901:1-10-02, 4901:1-10-03, 4901:1-10-04, 4901:1-10-05, 4901:1-10-06, 4901:1-10-07, 4901:1-10-08, 4901:1-10-09, 4901:1-10-10, 4901:1-10-11, 4901:1-10-12, 4901:1-10-13, 4901:1-10-14, 4901:1-10-15, 4901:1-10-16, 4901:1-10-17, 4901:1-10-18, 4901:1-10-19, 4901:1-10-20, 4901:1-10-21, 4901:1-10-22, 4901:1-10-23, 4901:1-10-24, 4901:1-10-26, 4901:1-10-27, 4901:1-10-29, 4901:1-10-30, 4901:1-10-31, 4901:1-10-32, 4901:1-10-33, 4901:1-10-34, and 4901:1-10-35)

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

This Public Utilities Commission of Ohio (Commission) rule package consists of 17 no change and 16 amended rules. The rules were submitted to the CSI Office as part of a statutory five-year review on July 18, 2019, and the public comment period was open through August 30, 2019. Unless otherwise noted below, this recommendation reflects the version of the proposed rules filed with the CSI Office on July 18, 2019.

This package covers minimum electric service standards for investor-owned electric utilities and transmission owners. Amendments to the rules include the addition of consumer safeguards for accidents involving electric lines or facilities, broadening requirements for when outage reports must be submitted, provisions to allow consumers to block the transfer of their electric service provider, allowing electric utilities to provide a disconnection notice in writing, adding definitions for “non-

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commodity goods” and “prepaid service,” requirements that performance standards remain in place until revised standards are approved, requirements for the payment of prepaid services, and updated references.

During the period of early stakeholder outreach, the Commission conducted a workshop on the proposed rules, and notified all of Ohio’s investor-owned electric utilities as well as the Commission’s electric energy industry listserv. Revisions made resulting from early stakeholder feedback include additional options for customer notice before disconnection for fraud and additional requirements to allow customers to opt out of Competitive Retail Electric Service (CRES). During the CSI public comment period, the Commission engaged in discussion of the rules with several of Ohio’s utility providers and made numerous changes to the proposed rules as a result. The Commission notified CSI of the proposed rule adoption in their final form in April of 2021. These changes include the correction of references, language changes for the sake of clarity, requiring that an Electric Distribution Utility (EDU) obtain actual meter reading quarterly for in service meters and monthly readings of advanced meters at service locations, the clarification of reporting the use of outage messaging when experiencing system issues, requiring action plans to be filed with the Commission, requirements to inform customers of alternative rates, allowing electronic authentication for consent purposes, updating non-payment disconnection widows to align with existing rules, allowing the disclosure of hourly usage to CRES providers for billing purposes, and requirements to provide a list of CRES providers in a territory.

Impacted communities include Ohio’s electric utilities, transmission owners, and all customer generators. Adverse impacts associated with the rules include meeting appropriate records requirements, ensuring minimum standards of service, administrative costs associated with required filings, and meeting notification requirements. The proposed rules serve to ensure safe and more reliable services for consumers, as well as to provide minimum service standards and reasonable prices.

Recommendations

Based on the information above, the CSI Office has no recommendations on this rule package.

Conclusion

The CSI Office concludes that the Commission should proceed in filing the proposed rules with the Joint Committee on Agency Rule Review.