

PUCO RESPONSE MEMORANDUM

To: Michael Bender
Business Advocate
Ohio Lieutenant Governor's Common Sense Initiative Office

From: Jeffrey Jones
Legal Director
Public Utilities Commission of Ohio

Date: February 10, 2023

Re: PUCO Response for: Ohio Adm.Code Chapter 4901:1-15 (Waterworks and Sewage Disposal System Companies).

In Case No. 22-771-WS-ORD, the Public Utilities Commission of Ohio (PUCO) conducted a review of Ohio Adm.Code Chapter 4901:1-15 as part of the statutory five-year review process, as well as to comply with R.C. 121.951(A)(1), which requires state agencies to reduce their total number of regulatory restrictions. The rules in Ohio Adm.Code Chapter 4901:1-15 establish requirements for waterworks and sewage disposal companies and for public facilities operated by these entities.

By Entry issued October 17, 2022, the PUCO established a formal comment period to receive stakeholder feedback regarding the PUCO's proposed rules modifications. The comment period ended on November 23, 2022. Comments were filed by The Office of the Ohio Consumers' Counsel (OCC). Thereafter, the PUCO issued a Finding and Order on December 14, 2022, adopting the proposed rules and rejecting the majority of OCC's proposed revisions. On January 13, 2023, OCC filed an application for rehearing seeking the adoption of its proposed revisions. The application for rehearing was denied by operation of law on February 13, 2023. On December 29, 2022, the Common Sense Initiative (CSI) Office replied to the PUCO, stating that CSI had no recommendations, and concluding that the PUCO should proceed with formal filing of the rules package with the Joint Committee on Agency Rule Review (JCARR). In light of CSI's conclusion, the PUCO will proceed and file these rules with JCARR.

cc: Joseph Baker, Director, Common Sense Initiative Office
Jay Agranoff, Chief of Telecommunications and Water and Wastewater, Legal Department, PUCO