

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 7, 2023

Re: PUCO Response –Recovery of Infrastructure Development Costs (Ohio
Adm.Code Chapter 4901:1-43)

In Case No. 22-813-GA-ORD, the Public Utilities Commission of Ohio (PUCO) reviewed Ohio Adm.Code Chapter 4901:1-43 in order 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 4901:1-43 establish requirements and procedures for natural gas companies to file applications with the PUCO for approval of an infrastructure development rider to recover prudently incurred infrastructure development costs of one or more economic development projects approved under R.C. 4929.163.

By Entry issued October 5, 2022, the PUCO established a formal comment period to receive stakeholder feedback regarding the PUCO's proposed rules. Comments were received from Columbia Gas of Ohio. Thereafter, the PUCO issued a Finding and Order on December 14, 2022, adopting the proposed changes to the rules as set forth in the order. On February 6, 2023, 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
Greg Price, Deputy Legal Director, Public Utilities Commission of Ohio