

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: December 30, 2022

Re: PUCO Response -Long-Term Forecast Reports Generally (Ohio
Adm.Code Chapter 4901:5-1)

In Case No. 21-779-GE-ORD, the Public Utilities Commission of Ohio (PUCO) reviewed Ohio Adm.Code Chapter 4901:5-1 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 4901:5-1 require any person who owns or operates a major utility within the state of Ohio or who furnishes gas, natural gas, or electricity directly to more than fifteen thousand customers within the state to file long-term forecast reports with the PUCO. The rules also set forth various procedural requirements for the submission of such reports.

By Entry issued September 7, 2022, the PUCO established a formal comment period to receive stakeholder feedback regarding the PUCO's proposed rescission of the rules. Initial comments were submitted by Ohio Edison Company, The Cleveland Electric Illuminating Company, and The Toledo Edison Company, and reply comments were filed by The Dayton Power and Light Company dba AES Ohio and The Ohio Manufacturers' Association Energy Group. Thereafter, the PUCO issued a Finding and Order on November 30, 2022, adopting the proposed changes to the rules as set forth in the order. 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



Public Utilities Commission

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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