

## Rule Summary and Fiscal Analysis

### Part A - General Questions

**Rule Number:** 4901:1-10-02

**Rule Type:** Amendment

**Rule Title/Tagline:** Purpose and scope.

**Agency Name:** Public Utilities Commission of Ohio

**Division:** Utilities

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#### I. Rule Summary

1. Is this a five year rule review? No
  - A. What is the rule's five year review date? 9/30/2026
2. Is this rule the result of recent legislation? No
3. What statute is this rule being promulgated under? 111.15
4. What statute(s) grant rule writing authority? R.C. 4905.22, 4905.04, 4928.06, 4928.11
5. What statute(s) does the rule implement or amplify? R.C. 4933.121, 4905.06, 4905.22, 4928.11
6. Does the rule implement a federal law or rule in a manner that is more stringent or burdensome than the federal law or regulation requires? No
  - A. If so, what is the citation to the federal law or rule? Not Applicable
7. What are the reasons for proposing the rule?

This rule is not a new proposal.
8. Summarize the rule's content, and if this is an amended rule, also summarize the rule's changes.

Ohio Adm.Code Chapter 4901:1-10 is intended to promote safe and reliable service to consumers and the public, and to provide minimum standards for uniform and reasonable practices. Ohio Adm.Code 4901:1-10-03 consists of record retention standards that the above entities must follow.

The revisions to this rule were made to comply with R.C. 121.951. The revisions removed unnecessary regulatory restrictions from the rule, such as removing the word "shall" when it was not needed.

- 9. Does the rule incorporate material by reference? Yes**
- 10. If the rule incorporates material by reference and the agency claims the material is exempt pursuant to R.C. 121.75, please explain the basis for the exemption and how an individual can find the referenced material.**

A portion of this rule incorporates material from sections of the Revised Code and of the Ohio Administrative Code, which are exempted pursuant to R.C. 121.75(A)(1)(a) and (d).

- 11. If revising or re-filing the rule, please indicate the changes made in the revised or re-filed version of the rule.**

*Not Applicable*

## **II. Fiscal Analysis**

- 12. Please estimate the increase / decrease in the agency's revenues or expenditures in the current biennium due to this rule.**

This will have no impact on revenues or expenditures.

0

Not applicable.

- 13. What are the estimated costs of compliance for all persons and/or organizations directly affected by the rule?**

This rule requires that electric utilities and transmission owners retain records pertaining to this chapter for specific period of time. This rule results in an increase in cost to implement since the above entities would need to create and maintain a retention system and be able to procure such records to the Commission if needed.

14. **Does the rule increase local government costs? (If yes, you must complete an RSFA Part B). No**
15. **Does the rule regulate environmental protection? (If yes, you must complete an RSFA Part C). No**
16. **If the rule imposes a regulation fee, explain how the fee directly relates to your agency's cost in regulating the individual or business.**

Not applicable.

### **III. Common Sense Initiative (CSI) Questions**

17. **Was this rule filed with the Common Sense Initiative Office? Yes**
18. **Does this rule have an adverse impact on business? Yes**

- A. **Does this rule require a license, permit, or any other prior authorization to engage in or operate a line of business? Yes**

This rule assumes that the entity qualifies as an investor-owned electric utility or transmission owner. To operate within this field, there are several regulatory hurdles to clear to do so.

- B. **Does this rule impose a criminal penalty, a civil penalty, or another sanction, or create a cause of action, for failure to comply with its terms? Yes**

Yes. This rule requires that electric utilities and transmission owners must provide adequate service and facilities, as prescribed by the commission, and must comply with laws of this state. Therefore, if an entity fails to follow these requirements then it creates a cause of action that a consumer can pursue and/ the Commission can address.

- C. **Does this rule require specific expenditures or the report of information as a condition of compliance? No**

No. This specific rule does not.

- D. **Is it likely that the rule will directly reduce the revenue or increase the expenses of the lines of business of which it will apply or applies? Yes**

Yes. This rule requires that electric utilities and transmission owners must provide adequate service and facilities, as prescribed by the commission,

and must comply with laws of this state. Therefore, in following these requirements, these entities will incur costs.

**IV. Regulatory Restriction Requirements under S.B. 9. Note: This section only applies to agencies described in R.C. 121.95(A).**

**19. Are you adding a new or removing an existing regulatory restriction as defined in R.C. 121.95? Yes**

- A. How many new regulatory restrictions do you propose adding to this rule? 0**
- B. How many existing regulatory restrictions do you propose removing from this rule? 18**

4901:1-10-02(B)(1): Removed regulatory restriction allowing the Commission to require electric utilities/transmission owners to furnish additional service upon the Commission's own motion.

4901:1-10-02(B)(1): Removed regulatory restriction allowing the Commission to require electric utilities/transmission owners to furnish additional equipment upon the Commission's own motion.

4901:1-10-02(B)(1): Removed regulatory restriction allowing the Commission to require electric utilities/transmission owners to furnish additional facilities upon the Commission's own motion.

4901:1-10-02(B)(2): Removed regulatory restriction allowing the Commission to require electric utilities/transmission owners to furnish additional service upon formal Commission resolution of a complaint.

4901:1-10-02(B)(2): Removed regulatory restriction allowing the Commission to require electric utilities/transmission owners to furnish additional equipment upon formal Commission resolution of a complaint.

4901:1-10-02(B)(2): Removed regulatory restriction allowing the Commission to require electric utilities/transmission owners to furnish additional facilities upon formal Commission resolution of a complaint.

4901:1-10-02(B)(2): Removed regulatory restriction allowing the Commission to require electric utilities/transmission owners to furnish additional service upon informal Commission resolution of a complaint.

4901:1-10-02(B)(2): Removed regulatory restriction allowing the Commission to require electric utilities/transmission owners to furnish additional equipment upon informal Commission resolution of a complaint.

4901:1-10-02(B)(2): Removed regulatory restriction allowing the Commission to require electric utilities/transmission owners to furnish additional facilities upon informal Commission resolution of a complaint.

4901:1-10-02(B)(3): Removed regulatory restriction allowing the Commission to require electric utilities/transmission owners to furnish additional service upon the application of any electric utility.

4901:1-10-02(B)(3): Removed regulatory restriction allowing the Commission to require electric utilities/transmission owners to furnish additional equipment upon the application of any electric utility.

4901:1-10-02(B)(3): Removed regulatory restriction allowing the Commission to require electric utilities/transmission owners to furnish additional facilities upon the application of any electric utility.

4901:1-10-02(D)(1): Removed regulatory restriction preventing the rules in this chapter from relieving electric utilities from providing adequate services and facilities as prescribed by the Commission.

4901:1-10-02(D)(1): Removed regulatory restriction preventing the rules in this chapter from relieving transmission owners from providing adequate services and facilities as prescribed by the Commission.

4901:1-10-02(D)(2): Removed regulatory restriction preventing the rules in this chapter from relieving electric utilities complying with the laws of this state.

4901:1-10-02(D)(2): Removed regulatory restriction preventing the rules in this chapter from relieving transmission owners complying with the laws of this state.

4901:1-10-02(G): Removed regulatory restriction preventing electric utilities from incorporating provisions which purport to establish liability on the part of the electric utility's customers for acts or failures to act involving an electric utility's facilities, which are beyond the control of the customer.

4901:1-10-02(G): Removed regulatory restriction requiring any contrary provisions in a utility's existing tariff to be eliminated.

- C. If you are not removing existing regulatory restrictions from this rule, please list the rule number(s) from which you are removing restrictions.**
- D. Please justify the adoption of the new regulatory restriction(s).**

Not Applicable