

PUCO RESPONSE MEMORANDUM

To: Jacob Ritzenthaler
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 –Green Pricing Programs (Ohio Adm.Code Chapter 4901:1-42)

In Case No. 22-868-EL-ORD, the Public Utilities Commission of Ohio (PUCO) reviewed Ohio Adm.Code Chapter 4901:1-42 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 4901:1-42 establish requirements for green pricing programs, which allow competitive retail electric services and electric distribution utilities to market based on fuel source or emission profile.

By Entry issued October 19, 2022, the PUCO established a formal comment period to receive stakeholder feedback regarding the PUCO's proposed rescission of the rules; however, no comments were received. 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 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