

**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: May 7, 2024

Re: PUCO Response – Alternative Rate Plan; Exemptions (Ohio Adm.Code Chapter 4901:1-19)

In Case No. 23-736-GA-ORD, the Public Utilities Commission of Ohio (PUCO) reviewed Ohio Adm.Code Chapter 4901:1-19 in order to comply with R.C. 111.15(B) and R.C. 106.03(A), which require state agencies to conduct a review of their rules every five years. The rules in Ohio Adm.Code Chapter 4901:1-19 address: the filing, consideration, and implementation of applications made pursuant to R.C. 4929.04 to exempt any commodity sales service or ancillary service of a natural gas company from provisions of R.C. 4905, 4909, and 4935; the filing and consideration of an application by a natural gas company pursuant to R.C. 4929.04 to exit the merchant function; and the filing and consideration of an application made by a natural gas company pursuant to R.C. 4929.05 to request approval of an alternative rate plan.

Following a workshop held on August 31, 2023, the PUCO established a formal comment period to receive stakeholder feedback regarding the PUCO's proposed rules by Entry issued January 24, 2024. No stakeholder comments were received. Thereafter, the PUCO issued a Finding and Order on April 3, 2024, adopting the proposed changes to the rules as set forth in the order. On May 6, 2024, the Common Sense Initiative Office (CSI) replied to the PUCO, stating that CSI had no recommendations and concluding that the PUCO should

Commissioners

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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

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