**BEFORE**

**THE PUBLIC UTILITIES COMMISSION OF OHIO**

|  |  |  |
| --- | --- | --- |
| In the Matter of the Commission’s Review of Chapter 4901:1-13 of the Ohio Administrative Code, Regarding Minimum Gas Service Standards. | ) )  )  ) | Case No. 13-2225-GA-ORD |

**COMMENTS**

**BY**

**THE OFFICE OF THE OHIO CONSUMERS’ COUNSEL**

BRUCE J. WESTON

OHIO CONSUMERS’ COUNSEL

Joseph P. Serio, Counsel of Record

Assistant Consumers’ Counsel

**Office of the Ohio Consumers’ Counsel**

10 West Broad Street, Suite 1800

Columbus, Ohio 43215

(614) 466-9565 (Serio)

[Joseph.serio@occ.ohio.gov](mailto:Joseph.serio@occ.ohio.gov)

March 28, 2014

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# I. INTRODUCTION

On February 26, 2014, the Public Utilities Commission of Ohio (“PUCO” or “Commission”) called for comments, by Entry, on the Minimum Gas Service Standards (“MGSS”) that impact the daily lives of residential consumers. The PUCO Staff has proposed amendments to the MGSS Rules, Ohio Admin. Code 4901:1-13. Initial comments are due March 28, 2014 with reply comments due on April 11, 2014.

The Office of the Ohio Consumers’ Counsel (“OCC”) appreciates the opportunity to provide comments concerning these important standards. OCC believes that the majority of the changes proposed by the PUCO Staff are reasonable, and that they help bring clarity, as well as helping to protect customers. In addition, OCC proposes the following modifications[[1]](#footnote-1) in order to help further the objective of streamlining the rules as well as ensuring that the rules provide customers with adequate natural gas service. OCC is also proposing a number of changes in the rules that are related to billing to help improve the information that is available to consumers about natural gas choices and to help reduce the costs for customers to pay their natural gas bills.

# II. SPECIFIC COMMENTS

## A. Ohio Admin. Code 4901:1-13-01

The PUCO Staff proposed only minor changes in the definitions used in Ohio Admin. Code 4901:1-13-01(X) including the elimination of the definition for a text telephone (“TTY”). Presumably this change was proposed because the TTY capability is no longer used as part of the PUCO referral information that is provided to customers on bills and other utility notices.[[2]](#footnote-2) Customers who have hearing or speech impairments are now referred to the PUCO via the “711” Ohio Relay Service.[[3]](#footnote-3) OCC is not opposed to this proposal to eliminate the definition of TTY, inasmuch as it will no longer be part of the PUCO referral information provided to customers. In explaining the changes that were made in the MGSS, the PUCO Staff explained that certain rules from the Electric Service and Safety Standards (“ESSS”) in Ohio Admin. Code 4901:1-10 were inserted to obtain consistency between the natural gas and electric service standards.[[4]](#footnote-4) For example, postmark is a defined term in the ESSS rules but is not defined in the MGSS rules. However, the term postmark is used extensively in “Rule 11” and the newly proposed “Rule 14”.

Since the term postmark is used to establish certain consumer protections such as when a bill is due or when consumers must act to cancel an enrollment, OCC recommends that the term postmark should be defined in the MGSS rules in order to have consistency between the two standards. OCC proposes that the definition used for postmark in Ohio Admin. Code 4901:1-10-01(Y) be adopted in Ohio Admin. Code 4901:1-13-01. This definition is provided as follows:

“Postmark” means a mark, including a date, stamped or imprinted on a piece of mail which services to record the date of its mailing, which in no event shall be earlier than the date on which the item is actually deposited in the mail. For electronic mail, postmark means the date the electronic mail was transmitted.

## B. Ohio Admin. Code 4901:1-13-04(D)(4)

The current PUCO meter testing standards enable customers to request a meter test to verify that a meter is functioning in compliance with the tolerance standards specified in R.C. 4933.09. In addition, customers have a right to be present at the meter test[[5]](#footnote-5) and to be notified of this right by the gas company at the time the meter test is being scheduled.[[6]](#footnote-6) However, if the meter test reveals that the meter is functioning within tolerance, the Utility can assess a charge to the customer for recovery of expenses related to testing the meter.[[7]](#footnote-7)

While OCC recognizes that there are costs associated with performing meter tests, there is also value in customers being able to periodically request meter tests to have confidence that they are being properly billed and without the fear of having to pay for the meter test. The PUCO ESSS Rules recognize this value by allowing customers to request a meter test free of charge provided that a test was not requested in the previous thirty-six months.[[8]](#footnote-8) The result of a meter test -- whether the meter is accurate -- should not determine if a customer has to pay additional cost for the test. Instead, as a way to help balance the costs of meter tests with the benefit for customers, OCC recommends that the MGSS and ESSS rules should be aligned such that natural gas customers are now able to request a meter test once every three years without having to pay any charges or fees.

This is especially of concern for low income or fixed income customers who may not have the means to pay for a test. These customers should not be precluded from a request to ensure that they are only paying for the natural gas that they actually use. All customers, regardless of income, should have the same confidence in the accuracy of their consumption and billing.

Given the modern advances in metering technology and the magnitude of Automatic Meter Reading (“AMR”) equipment being installed throughout Ohio, many customers may want assurance that their usage is being billed accurately. With AMR, customers may no longer observe the occurrence of ammeter reading and may question the accuracy of their billing. Finally, there has been no demonstration that customers have abused the request to read a meter, or instance where customers frivolously requested a meter test without cause.

OCC recommends the following modification:

(D)(4) Each company shall notify the customer of applicable charges prior to the test. Such charges must be set forth in the company’s tariff. However, customers shall not be assessed any charge for a meter test if the meter has not been tested in the previous thirty-six months prior to the date of the meter test regardless of the results of the test.

## C. Ohio Admin. Code 4901:1-3-04(D)(5)(c)

The PUCO rules require the gas utilities to refund or credit at the customer’s discretion any overcharges for natural gas service that occurred as a result of having a faulty meter.[[9]](#footnote-9) Furthermore, the rules specify that if the period of time in which the meter inaccuracy can be reasonably determined, the amount of the overcharge will be determined based on the customer’s metered usage during a time when the meter was functioning properly.[[10]](#footnote-10) However, the current PUCO rules do not require the Utility to pay interest on the overcharged gas.

To the extent that a customer has been overcharged for a period of time exceeding six months, then consistent with the deposit credit rules in Ohio Admin. Code 4901:1-17-05 (C)[[11]](#footnote-11), the gas utilities should be required to pay customers reasonable interest charges on the amount of the overcharge in order to make the customer whole for the lost carrying charges associated with the over-payment. Otherwise, it is fundamentally unfair because the Utilities benefit from the use of customers money without consideration of the impact on customers.

In determining the amount of the interest charge, OCC recommends that customers be reimbursed at a rate no less than the amount that utilities are required to pay on deposits that are held by the utility. Ohio law requires gas utilities to pay customers interest in the amount of not less than three percent per annum for cash deposits held by the utility.[[12]](#footnote-12)

(5)(c) Within thirty days, pay or credit, at the customer’s discretion, an overpayment to the customer along with interest at a rate of not less than three percent, in accordance with one of the following billing adjustments:

In calculating the amount of money that customers were overcharged for natural gas, the current rules require the company to base the calculation of the amount of the overcharge based on the customer’s usage from when the meter was functioning properly. Natural gas usage from previous months may not be an accurate surrogate for the customer’s actual usage during months when the meter was not functioning.

For example, there are several other factors that affect natural gas usage on a monthly basis that must also be considered when calculating the overcharge. In addition, factors including the weather, number of heating degree days, changes in household size, the purchase of more efficient appliances, mechanical upgrades (such as the installation of an energy efficient gas furnace or the conversion to a heat pump), and other energy efficiency measures affect the amount of natural gas usage on a monthly basis. To help ensure that customers are being fairly reimbursed for the amount of money they were overcharged for natural gas, OCC recommends the following proposed amendment to Ohio Admin. Code 4901:1-13-04(D)(5)(c)(i).

(i) When the company or customer has reasonably established the approximate period of meter inaccuracy, the overcharge shall be computed on the basis of a customer’s meter usage prior and/ or subsequent to such period consistent with the rates in effect during that period. In calculating the amount of overcharges during periods of meter inaccuracy, the company shall also consider the effects that weather, number of heating degree days, changes in household size, changes in appliances and mechanical upgrades, and other energy efficiency measures implemented after the period of meter inaccuracy.

## D. Ohio Admin. Code 4901:1-3-04(G)(2)

The current MGSS Rules require that natural gas utilities comply with R.C. 4933.28 concerning re-billing residential customers for undercharges in natural gas service that occurred as a result of meter inaccuracy. The PUCO Staff has proposed modifying this rule by including specific statutory language limiting the duration of time in which residential customers can be re-billed for unmetered gas service to the three hundred and sixty-five days immediately before the Utility corrects the meter issue.[[13]](#footnote-13) OCC supports this proposed change.

However, customers should also be informed about their statutory right to have at least twelve months[[14]](#footnote-14) to pay the undercharged natural gas amount. Customers should be made aware of this option, especially in circumstances where a significant bill impact from a re-billing could cause a customer financial difficulties. This is especially problematic for low income or fixed income customers. OCC recommends that in addition to accepting the PUCO Staff’s proposed change, the PUCO adopt the following proposed rule requiring natural gas utilities to notify customers about their right to have at least twelve months to pay previous undercharges.

1. Billing adjustments for residential customers shall comply with section 4933.28 of the Revised Code. When a gas or natural gas company has undercharged any residential customer as the result of a meter or metering inaccuracy or other continuing problem under the gas or natural gas company's control, the company may only bill the customer for the amount of the unmetered gas rendered in the three hundred sixty-five days immediately prior to the date the company remedies the meter inaccuracy. Customers shall be notified by the gas company of the right to have at least twelve months to pay in equal installments any undercharge for unmetered gas service.

## E. Ohio Admin. Code 4901:1-13-05(C)(1)

Natural gas utilities are currently required to provide customers with an expected arrival time window of four hours or less when appointments are scheduled where the customer must also be present during the visit.[[15]](#footnote-15) The scheduling of appointments with expected arrival times is helpful for consumers because it enables more effective planning of daily activities and the avoidance of lost work time and inefficient use of time waiting for gas company employees to visit their homes. The PUCO Staff proposed amending this rule such that expected arrival times would not be provided for those reconnections in service related to disconnections for non-payment pursuant to Ohio Admin. Code 4901:1-18-07.[[16]](#footnote-16) No rationale was given for the creation of this exception which, if adopted, would create additional customer confusion because of the different standards.

This proposal is troubling because different service standards should not be imposed on customers requiring reconnection as opposed to any other reason why service appointments are being scheduled. A single standard for all services is significantly easier for customers to understand and easier for the PUCO to enforce. Utilities may need to secure access to customer premises from time-to-time to ensure gas is being delivered in a safe and reliable manner. Moreover, regardless of the reason why the Utility needs to access the premises, all customers benefit from having an appointment with an expected arrival time so that they can better plan their daily activities. Establishing different and lesser standards for certain types of services starts down the slippery slope of subjectively valuing services.

The proposed rule change is a troublesome because what is of importance to the Utility may be very different from what is important to the safety and welfare of customers. For example, a Utility may place a greater value on payment-related services while relegating actual quality-related services such as turning on gas within a reasonable time or meeting service appointment commitments to a lesser status.

Finally, even the Utility benefits from customers having a consistent window for all Utility services. Such a consistent application will reduce the number of complaints about missed appointments and will also reduce the number of appointments that are missed and then need to be rescheduled.

OCC recommends that the PUCO Commission reject this proposed recommendation as follows:

1. The gas or natural gas company shall provide all customers with an expected company arrival time window of four hours or less for all appointments requiring the customer to be present~~, except when reconnecting pursuant to rule 4901:1-18-07 of the Administrative Code.~~

## F. Ohio Admin. Code 4901:1-13-05(E)

The PUCO Staff proposed an amendment in the service standards that results in the gas utilities being required to submit an annual report to the PUCO. The report is to contain actual monthly customer service performance data compared with the minimum performance service standards related to service initiations and upgrades, telephone response times, scheduling of appointments, and service line repairs. OCC supports the PUCO’s recommendation as being consistent with the statutory role of the agency in establishing minimum service quality, safety, and reliability standards.[[17]](#footnote-17) However, for the purpose of promoting openness and transparency in government, OCC recommends that these annual reports be publicly filed with the Commission.

(3) By March thirty-first of each year, each gas or natural gas company shall ~~submit~~ file an annual report to the director of the commission's service monitoring and enforcement department, setting forth the company's actual monthly customer service performance data during the previous calendar year as compared with each of the minimum service levels set forth in paragraphs (A), (B). (C), and (P) of this rule.

## G. Ohio Admin. Code 4901:1-13-10(G)

The PUCO Staff has proposed a new rule Ohio Admin. Code 4901:1-13-10(G) that concerns the responsibility of a natural gas Utility in addressing customer contacts involving Competitive Retail Natural Gas Service (“CRNGS”) service.[[18]](#footnote-18) The proposed rule generally requires that upon contact by a customer concerning a CRNGS issue, a natural gas company is required to review the issue with the customer to determine if the issue also involves the Utility, cooperate in the resolution of any joint issues with a CRNGS supplier, and/ or to refer the customer to the CRNGS supplier.

However, the proposed rule does not require a natural gas Utility to inform customers about the availability of the PUCO telephone call center[[19]](#footnote-19) to help address and resolve any issue that customers may have involving CRNGS. Because many of the CRNGS type issues may involve marketing, enrollment, and contract disclosure matters that are the topic of other PUCO rules,[[20]](#footnote-20) customers should also be informed about the availability of the PUCO to help address any CRNGS issues that customers may have.

OCC also recommends that in cases where the Utility has a Modified Variable Rate (“MVR”), and a customer contacts the Utility regarding a desire to switch back from a CRES provided service offer to the Utility Standard offer, the Utility be required to notify the customer that in order to be assigned to the Standard Contract Offer (“SCO”) that the customer must specifically ask for the SCO. In addition, the Utility should assist customers that wish to enroll in the SCO, even if those customers are not aware of the requirement to use specific words in requesting the SCO service. The customer should be made aware of the differences between the SCO rate and the MVR rate. Customers may not understand the difference between the SCO rate and the MVR rate, and if a customer contacts the Utility about a CRES provider issue, the customer should be educated about this difference.

OCC recommends that the Staff-proposed rule Ohio Admin. Code 4901:1-13-10(G) be amended as follows:

(G) If a customer contacts the gas or natural gas company concerning competitive retail natural gas service issues, the gas or natural gas company shall:

(1) Review the issue with the customer to determine whether it also involves the gas, or natural gas company.

(2) Cooperate with the resolution of any joint issues with the retail natural gas supplier or governmental aggregator, and.

(3) Refer the customer to the appropriate retail natural gas supplier or governmental aggregator in those instances where the issue lacks gas or natural gas company involvement.

1. Refer the customer to the PUCO’s call center.
2. In cases where the Utility has an MVR rate, the Utility shall explain the difference between the SCO rate and the MVR rate and inform the customer that to obtain the SCO rate, the SCO rate must be specifically mentioned. If a customer wishes to enroll in the SCO, the Utility should assist the customer in enrolling in the SCO even if the customer fails to use any specific words.

## H. Ohio Admin. Code 4901:1-13-11

The PUCO has established billing and payment standards for natural gas bills that require bills to be issued in clear and understandable form and language.[[21]](#footnote-21) OCC supports simplifying the bill formats to help Ohioans understand and benefit from information on their utility bills. Bills should be free of jargon, should avoid unreadable fine print, should promote awareness of options to reduce both rates and usage toward an affordable bill, and should explain how to get help. In addition, the content of the bill should be sufficient for customers to recalculate their bill for accuracy.[[22]](#footnote-22)

Given the complexities of the natural gas choice programs and the difficulty in explaining these programs to consumers, the natural gas bill is an extremely important resource for helping inform customers about the availability of their choices and the impact of their choice. The PUCO Staff proposed that CRNGS providers names and phone numbers be placed in close proximity to their charges on the bill.[[23]](#footnote-23) This change in the bill format helps clarify if the customer’s choice for natural gas supply is with a CRNGS provider, government aggregator, or the Utility SCO and the rate the customer is paying for their supply of natural gas. OCC supports this proposed change.

## I. Ohio Admin. Code 4901:1-13-11(B)(27)

For customers who are served by gas companies where competitive options exist for the supply of the natural gas commodity, the PUCO rules require that the bill has a notice referring customers to the “apples to apples” comparison charts. The Apples to Apples is an educational resource available on the PUCO Energy Choice Ohio website where customers can obtain information about competitive choices tailored to the offers available in each of the major service territories.[[24]](#footnote-24) While the apples to apples notice is important information to have on the gas bill, customers who are served in areas where natural gas choice programs are available should also have a price to compare notice on the bill. In addition, residential customers should be informed about the Comparing Energy Choices fact sheets available on the OCC’s website.

The price to compare is the rate that the natural gas company charges customers who have decided to remain on the SCO rate. In order for customers to save money on their natural gas costs, a competitive supplier must offer rates lower than the price to compare. The monthly natural gas bill is an appropriate location to have a price to compare notice because the SCO rate can change on a monthly basis. For customers who are considering switching suppliers and are comparing choices, the price to compare serves as a baseline for determining if there are savings in the market. For shopping customers, the price to compare is that readily available reference on the bill that can be used to determine if savings or losses occurred as a result of having a CRNGS provider.

A price to compare on Utility bills is not new in Ohio. In fact, all of the electric Utilities have provided customers with a price to compare notice on all electric bills for well over a decade.[[25]](#footnote-25) Similar to the natural gas price to compare, the electric industry price to compare is the Utility standard service offer (“SSO”) rate per KWH. In order to save money, customers need to shop for competitive offers that are lower than the Utility SSO rate.

In a recent PUCO Staff report, the Staff recommended improvements in the electric price to compare notice to help better explain how the price to compare can be used to save money.[[26]](#footnote-26) The PUCO Staff also recommended that the PUCO consider adopting similar recommendations concerning price to compare in the natural gas industry.[[27]](#footnote-27) OCC supported the Staff recommendation for improving the electric bill price to compare and now supports the PUCO adopting similar changes to implement a price to compare on natural gas bills.

The PUCO’s Apples to Apples comparison charts are available for use by all residential, commercial, and industrial customers. In addition to the Apples to Apples, residential customers can obtain a copy of the “Comparing Natural Gas Choices” fact sheet from the OCC. This valuable fact sheet is tailored to the needs of residential customers and includes many resources to help customers make informed competitive choices. OCC recommends that the format of natural gas bills be modified to include a reference to the Comparing Natural Gas Choices fact sheet.

To help effectuate the addition of the price to compare notice on natural gas bills and the reference to the Comparing Your Natural Gas Choices fact sheet, OCC recommends that the proposed Ohio Admin. Code 4901:1-13-11(B)(27) be amended as follows:

(27) Price to Compare: In order for you to save money off your utility’s supply charges, a supplier must offer you a price lower than the utility price of $X.XX per Mcf (or Ccf depending on the utility) for the same time period and usage appearing on this bill. To review available competitive supplier offers, visit the Public Utilities Commission of Ohio ~~A prominently displayed~~ “apples-to-apples” comparison on the Energy Choice Ohio website [www.energychoiceohio.com](http://www.energychoiceohio.com/). Residential customers can obtain a copy of the Office of the Ohio Consumers’ Counsel’s “comparing your natural gas choices” fact sheets at [www.occ.ohio.gov](http://www.occ.ohio.gov/). ~~notice, if the company has a choice program~~.

## J. Ohio Admin. Code 4901:1-13-11(C)

The PUCO Staff proposed an amendment to Ohio Admin. Code 4901:1-13(C) that results in residential customers having at least twenty-one days from the date on the actual bill to make payment if the bill is issued from outside the state of Ohio.[[28]](#footnote-28) OCC supports this proposed amendment. The current due date requirements for natural gas bills are unclear depending on if there is a postmark on the bill itself. Bills that are sent with a postmark are due no earlier than fourteen days from the date of the postmark.[[29]](#footnote-29) Bills that are sent without a postmark are due no earlier than fourteen days from the date the bill is generated as reflected on the actual bill.[[30]](#footnote-30) The rules further require that bills be mailed on the same day they are generated if there is no postmark on the bill.[[31]](#footnote-31) Permit mailing has due date requirements that are based on the date of the actual bill.[[32]](#footnote-32) Bills that are sent electronically have different requirements concerning the use of an electronic postmark.

Since postmark is not currently a defined term in the MGSS, there can be ambiguity in determining when the bill is actually due. OCC supports customers having as much time as practical to pay their natural gas bill after they receive the bill in the mail. Assuming that the use of the postmark also results in bills being sent via U.S. Postal Service first-class mail, delivery times of 1-3 days are provided.[[33]](#footnote-33)

However, if bills are sent via standard mail, significantly longer (2-9 days) delivery times can occur.[[34]](#footnote-34) There can be significant consequences when bills are not paid on time including additional late payment charges, deposits, and even lost arrearage credits[[35]](#footnote-35) for low-income PIPP customers. To help eliminate any ambiguity concerning due date requirements, OCC recommends that the PUCO adopt similar due date requirements as were recently adopted in the ESSS rules.[[36]](#footnote-36)

Furthermore, OCC recommends that the PUCO clarify that natural gas bills shall be sent first-class or equivalent in the U.S. Postal Service so that customers have more time between when they are presented with a bill and the due date. OCC proposes the following amendment to the proposed Ohio Admin. Code 4901:1-13-11(C).

(C) All bills shall be due no earlier than fourteen days from the date of the postmark. ~~on the bill. If the bill is sent electronically, the bill shall not be due earlier than fourteen days from the date of the electronic postmark on the bill. If the bill is mailed by means that does not place a postmark on the bill (i.e., such as permit mailing), the bill shall not be due earlier than fourteen days from the date on the actual bill. All bills mailed without postmarks shall be mailed no later than the day listed on the bill.~~ For residential bills being issued from outside the state of Ohio, the due date shall be no less than twenty-one days. ~~from the date on the actual bill.~~

## K. Ohio Admin Code 4901:1-13-11(E)(3)

The current PUCO rules enable natural gas companies to charge an amount that is not to exceed two dollars for payments made by cash, check, or money order at an authorized agent location of the company.[[37]](#footnote-37) Because most of the utilities have closed their local community offices where payments could previously have been made without charge, customers who do not have checking accounts have no option but to pay their bill at an authorized agent.[[38]](#footnote-38) Customers who have a checking account and can pay by mail incur the expense of a $0.49 stamp.

Yet customers who do not have a checking account incur a $2.00 charge for making a gas bill payment at an authorized agent. This amount is unreasonable considering that the authorized agent may actually generate additional business and revenues while the customer is paying their gas bill. More troubling, there is no indication that an analysis has been performed on the impact that these charges are having on consumers and their ability to afford utility service.

While the number of Ohioans without bank accounts and access to credit are unknown, there are nationwide estimates of between 50 to 70 million Americans do not have access to traditional banking and the ability to write checks.[[39]](#footnote-39) OCC and other consumer groups had previously opposed the high costs for authorized agent fees because these charges were not cost justified and the impact on consumers has not been determined.[[40]](#footnote-40) OCC continues to contend that the imposition of such high payment charges on customers is unreasonable and that the Commission should act to either reduce or eliminate the authorized agent fees and charges.

The PUCO’s rules also allow charges to be assessed on customers who make payments via electronic check, electronic money transfer, or credit card.[[41]](#footnote-41) Furthermore, the current rules indicate that such charges will be evaluated by the Commission.[[42]](#footnote-42) Because the utilities do not accept credit and debit card payments directly from their customers but instead make arrangements for a third-party to accept payment on their behalf, there are “convenience” fees associated with the payments.[[43]](#footnote-43) The convenience fee for paying a residential natural gas bill via credit card varies between $1.50 and $2.50 per transaction today depending on the gas utility.[[44]](#footnote-44)

Moreover, the Utilities have not demonstrated why it is reasonable for them not to accept credit and debit card payments directly from consumers if this would reduce or eliminate the convenience charges. This is especially true for recipients of many social service programs whose benefits are paid through the receipt of prepaid debit cards. Precluding these customers from using the tools they are provided with would have the effect of lessening and eroding their buying power because they would then be susceptible to additional convenience fees.[[45]](#footnote-45)

Payments by credit and debit cards has become a near universal method for consumers to pay for goods and services constituting nearly 46 percent of the dollar volume of all consumer spending in 2010.[[46]](#footnote-46) Reductions in interchange rates and the avoided costs in not processing paper checks could result in the costs for accepting credit and debit card being comparable with other means.[[47]](#footnote-47) Finally, the gas utility acceptance of credit and debit card payments directly as opposed to through a third-party can be a cost effective way to improve cash flow and reduce credit and collections costs.[[48]](#footnote-48)

OCC encourages the Commission to evaluate the charges associated with customer payments made with credit and debit cards and to eliminate the convenience charges.

# III. CONCLUSION

OCC appreciates the opportunity to file these initial comments and to recommend improvements in the standards for natural gas service provided to the residential utility consumers in Ohio.

Respectfully submitted,

BRUCE J. WESTON

OHIO CONSUMERS’ COUNSEL

*/s/ Joseph P. Serio*

Joseph P. Serio, Counsel of Record

Assistant Consumers’ Counsel

**Office of the Ohio Consumers’ Counsel**

10 West Broad Street, Suite 1800

Columbus, Ohio 43215

(614) 466-9565 (Serio)

[Joseph.serio@occ.ohio.gov](mailto:Joseph.serio@occ.ohio.gov)

**CERTIFICATE OF SERVICE**

I hereby certify that a true copy of the Comments have been served upon the persons listed below this 28th day of March, 2014.

*/s/ Joseph P. Serio*

Joseph P. Serio

Assistant Consumers’ Counsel

**PARTIES OF RECORD**

William Wright

Chief, Public Utilities Section

Public Utilities Commission of Ohio

180 East Broad Street, 6th Floor

Columbus, Ohio 43215

[William.wright@puc.state.oh.us](mailto:William.wright@puc.state.oh.us)

1. OCC’s proposed modifications are represented by striking through any deletions and underlining any additions. [↑](#footnote-ref-1)
2. Ohio Admin. Code 4901:1-13-11(B)(5). [↑](#footnote-ref-2)
3. Id. [↑](#footnote-ref-3)
4. Entry at 3 (February 26, 2014). [↑](#footnote-ref-4)
5. R.C. 4933.09. [↑](#footnote-ref-5)
6. Ohio Admin. Code 4901:1-13-04(D)(2). [↑](#footnote-ref-6)
7. Ohio Admin. Code 4901:1-13-04(D)(4). [↑](#footnote-ref-7)
8. Ohio Admin. Code 4901:1-10-05(F)(4)(a) & (b). [↑](#footnote-ref-8)
9. Ohio Admin. Code 4901:1-13-04(D)(5)(c). [↑](#footnote-ref-9)
10. Ohio Admin. Code 4901:1-3-04(D)(5)(c)(i). [↑](#footnote-ref-10)
11. See also R.C. 4933.17. [↑](#footnote-ref-11)
12. R.C. 4933.17(B). [↑](#footnote-ref-12)
13. R.C. 4933.28(A). [↑](#footnote-ref-13)
14. Id. [↑](#footnote-ref-14)
15. Ohio Admin Code 4901:1-13-05(C)(1). [↑](#footnote-ref-15)
16. Entry at 13(February 26, 2016). [↑](#footnote-ref-16)
17. R.C. 4929.22(E). [↑](#footnote-ref-17)
18. Entry at 26 (February 26, 2014). [↑](#footnote-ref-18)
19. R.C. 4905.261. [↑](#footnote-ref-19)
20. Ohio Admin. Code 4901:1-29. [↑](#footnote-ref-20)
21. Ohio Admin. Code 4901:1-13-11(B). [↑](#footnote-ref-21)
22. R.C. 4929.22 (C)(2). [↑](#footnote-ref-22)
23. Entry at 28 (February 28, 2014). [↑](#footnote-ref-23)
24. Proposed Ohio Amin Code 4901:1-13-11(B)(27). [↑](#footnote-ref-24)
25. Ohio Admin. Code 4901:1-10-22(B)(24). [↑](#footnote-ref-25)
26. *In the Matter of the Commission's Investigation of Ohio's Retail Electric Service*, Case 12-3151-EL-COI, Market Development Work Plan at 19(January 16, 2014). [↑](#footnote-ref-26)
27. Id. at 21. [↑](#footnote-ref-27)
28. Proposed Ohio Admin. Code 4901:1-13(C). [↑](#footnote-ref-28)
29. Id. [↑](#footnote-ref-29)
30. Ohio Admin. Code 4901:1-13(C). [↑](#footnote-ref-30)
31. Id. [↑](#footnote-ref-31)
32. Id. [↑](#footnote-ref-32)
33. <https://www.usps.com/business/select-a-mail-class.htm>. [↑](#footnote-ref-33)
34. Id. [↑](#footnote-ref-34)
35. Ohio Admin. Code 4901:1-18-14(A)(1). [↑](#footnote-ref-35)
36. *In the Matter of the Commission's Review of Chapter 4901-10, Ohio Administrative Code, Regarding Electric Companies, Case 12-2050-EL-ORD*, Finding and Order, Attachment A at 48 (January 15, 2014). [↑](#footnote-ref-36)
37. Ohio Admin. Code 4901:1-13-11(E)(2). [↑](#footnote-ref-37)
38. NASUCA Resolution 2012-07 Urging Utilities to Eliminate “Convenience” Fees for Paying Utility Bills with Debit and Credit Cards and Urging Appropriate Regulatory Oversight, National Association of State Utility Consumer Advocates, November 13, 2012. [↑](#footnote-ref-38)
39. Id. [↑](#footnote-ref-39)
40. *In the Matter of the Commission’s Review of Chapter 4901:1-13 of the Ohio Administrative Code,* Case 09-326-GA-ORD, Joint Application at 17(August 30, 2010). [↑](#footnote-ref-40)
41. Ohio Admin. Code 4901:1-13-11(E)(2). [↑](#footnote-ref-41)
42. Id. [↑](#footnote-ref-42)
43. NASUCA Resolution 2012-07. [↑](#footnote-ref-43)
44. Based on a website survey performed on March 17, 2014, the charges for payments made via credit card were: Duke Energy Ohio $1.50, Dominion East Ohio Gas $1.65, Columbia Gas of Ohio $2.45, Vectren Energy Delivery Ohio $2.50. [↑](#footnote-ref-44)
45. NASUCA Resolution 2012-07. [↑](#footnote-ref-45)
46. NASUCA Resolution 2012-07. [↑](#footnote-ref-46)
47. Id. [↑](#footnote-ref-47)
48. Id. [↑](#footnote-ref-48)