AARP Ohio

The Citizens Coalition

Communities United for Action

Edgemont Neighborhood Coalition

The Legal Aid Society of Cleveland

The Legal Aid Society of Columbus

Office of the Ohio Consumers’ Counsel

Ohio Partners for Affordable Energy

Ohio Poverty Law Center

Pro Seniors, Inc.

Southeastern Ohio Legal Services

*Via E-Mail and Filed in PUCO Case No. 12-3151-EL-COI*

July 24, 2013

David Lipthratt, CPA, MPA

Public Utilities Administrator

Utilities Department

Public Utilities Commission of Ohio180 East Broad Street

Columbus, Ohio 43215

[*David.Lipthratt@puc.state.oh.us*](mailto:David.Lipthratt@puc.state.oh.us)

Re: In the Matter of the Commission’s Investigation of Ohio’s Retail Electric Service Market, Case No. 12-3151-EL-COI

Dear Mr. Lipthratt:

Thank you and your colleagues at the Public Utilities Commission of Ohio (“PUCO”) for inviting interested parties to participate in the electric workshop process that could affect the electric bills of Ohio’s 4.3 million residential consumers.

The consumer parties are writing to further express our concern that issues of customer protection are not being given the same consideration and priority in the workshop process as issues involving changes in market structure that some in the industry are seeking. We ask you to further consider adding such issues to the process.

This process began with the PUCO Staff inviting parties to propose topics for workshops and subcommittees. On July 15, 2013, the Office of the Ohio Consumers’ Counsel (OCC), Ohio Partners for Affordable Energy (OPAE), and the Ohio Poverty Law Center (OPLC) jointly recommended the following topics:

1) Consumer education issues including Apples to Apples website and broader consumer education issues

2) Customer enrollment including treatment of customer data

3) Customer impact analysis (who pays)

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4) Customer complaints process, slamming, etc.

Other than the customer billing/data topic, which may also address customer enrollment issues, none of our proposed topics for protecting Ohio consumers were accepted. The PUCO Staff did explain its approach to one of our proposals, consumer education. It wrote that “The Consumer Education and *Apples-to-Apples* website topics will be addressed by the PUCO’s Office of Retail Competition through a process separate from this proceeding.” Additionally, the PUCO Staff advised that the consumer education subcommittee “will not be part of the 12-3151 proceedings or any other docket.”

It would be consistent with state policy and the interest of Ohioans to consider consumer protection issues contemporaneously with the industry’s proposals for changes in the electricity market structure. In this regard, it is the policy of Ohio to ensure “retail electric service consumers protection against unreasonable sales practices, market deficiencies, and market power.”[[1]](#footnote-1) And it is the policy of Ohio to “[p]rotect at-risk populations, including, but not limited to, when considering the implementation of new advanced energy or renewable energy resources.”[[2]](#footnote-2)

Therefore, the consumer parties request that the PUCO Staff broaden its proposed topics and subcommittees in this proceeding to include consumer protection and consumer education issues, including but not limited to those proposed above. Due consideration and priority should be given to these issues in the workshop process. These issues directly affect the affordability of Ohioans’ electricity bills. Thank you and we look forward to working with the PUCO Staff and other stakeholders in the workshop process.

Sincerely,

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| /s/ William Sundermeyer  William Sundermeyer  Associate State Director, Advocacy  AARP Ohio  17 S. High Street., #800  Columbus, OH 43215  Tel: 614-222-1523  [wsundermeyer@aarp.org](mailto:wsundermeyer@aarp.org)  *On Behalf of AARP Ohio*  Page Three  July 24, 2013 | /s/ Joseph P. Meissner  Joseph P. Meissner  Joseph Patrick Meissner and Associates  5400 Detroit Avenue  Cleveland, Ohio 44102  PH: (216) 912-8818  [meissnerjoseph@yahoo.com](mailto:meissnerjoseph@yahoo.com)  *Attorney for The Citizens Coalition* |

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| /s/ Noel Morgan  Noel Morgan  Legal Aid of Southwest Ohio, LLC  215 East Ninth Street, Suite 500  Cincinnati, Ohio 45202  PH: (513) 241-9400  FX: (513) 241-0047  [nmorgan@lascinti.org](mailto:nmorgan@lascinti.org)  *Attorney for Communities United for Action*  /s/Julie Robie  Julie Robie  Anne Reese  The Legal Aid Society of Cleveland  1223 West Sixth Street  Cleveland, Ohio 44113  PH: (216) 687-1900  FX: (216) 861-0704  [julie.robie@lasclev.org](mailto:julie.robie@lasclev.org)  [anne.reese@lasclev.org](mailto:anne.reese@lasclev.org)  *Attorneys for The Legal Aid Society of Cleveland*  /s/ Maureen Grady  Maureen Grady  Joseph Serio  Edmund “Tad” Berger  Michael Schuler  Office of the Ohio Consumers’ Counsel  10 W. Broad Street  Columbus, OH 43215-3285  PH: (Grady) 614-466-9567  FX: (614) 9475  [grady@occ.state.oh.us](mailto:grady@occ.state.oh.us)  [serio@occ.state.oh.us](mailto:serio@occ.state.oh.us)  [berger@occ.state.oh.us](mailto:berger@occ.state.oh.us)  [schuler@occ.state.oh.us](mailto:schuler@occ.state.oh.us)  *Attorneys for Office of the Ohio Consumers’ Counsel*  Page Four  July 24, 2013  /s/ Michael R. Smalz  Michael R. Smalz  Joseph V. Maskovyak  Ohio Poverty Law Center  555 Buttles Avenue  Columbus, Ohio 43215-1137  PH: (614) 221-7201  FX: (614) 221-7625  [msmalz@ohiopovertylaw.org](mailto:msmalz@ohiopovertylaw.org)  [jmaskovyak@ohiopovertylaw.org](mailto:jmaskovyak@ohiopovertylaw.org)  *Attorneys for Ohio Poverty Law Center*  /s/ Peggy Lee  Peggy Lee  Robert Johns  Southeastern Ohio Legal Services  964 East State Street  Athens, Ohio 45701  PH: (740) 594-3558  FX: (740) 594-3791  [plee@oslsa.org](mailto:plee@oslsa.org)  [rjohns@oslsa.org](mailto:rjohns@oslsa.org)  *Attorneys for Southeastern Ohio Legal Services* | /s/ Ellis Jacobs  Ellis Jacobs  Advocates for Basic Legal Equality, Inc.  130 West Second Street, Suite 700 East  Dayton, Ohio 45402  PH: (937) 228-8104  FX: (937) 535-4600  [ejacobs@ablelaw.org](mailto:ejacobs@ablelaw.org)  *Attorney for the Edgemont Neighborhood Coalition*  /s/ Melissa Baker Linville  Melissa Baker Linville  Legal Aid Society of Columbus  1108 City Park Avenue  Columbus, Ohio 43206  PH: (614) 224-8374  FX: (614) 224-4514  [mlinville@columbuslegalaid.org](mailto:mlinville@columbuslegalaid.org)  *Attorney for Legal Aid Society of Columbus*  /s/ Colleen L. Mooney  Colleen L. Mooney  Ohio Partners for Affordable Energy  231 West Lima Street  PO Box 1793  Findlay, OH 45839-1793  PH: (419) 425-8860  FX: (419) 425-8862  [cmooney@ohiopartners.org](mailto:cmooney@ohiopartners.org)  *Attorney for Ohio Partners for Affordable Energy*  /s/ Michael A. Walters  Michael A. Walters  Pro Seniors, Inc.  7162 Reading Road, Suite 1150  Cincinnati, Ohio 45237  PH: (513) 458-5532  FX: (513) 621-5613  [mwalters@proseniors.org](mailto:mwalters@proseniors.org)  *Attorney for Pro Seniors, Inc.* |

cc: All Parties of Record

1. R.C. 4928.02(I). [↑](#footnote-ref-1)
2. R.C. 4928.02(L). [↑](#footnote-ref-2)