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*

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*On Behalf of AARP Ohio* Page ThreeJuly 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*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*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.organne.reese@lasclev.org*Attorneys for The Legal Aid Society of Cleveland*/s/ Maureen GradyMaureen GradyJoseph SerioEdmund “Tad” BergerMichael SchulerOffice of the Ohio Consumers’ Counsel10 W. Broad StreetColumbus, OH 43215-3285PH: (Grady) 614-466-9567FX: (614) 9475grady@occ.state.oh.usserio@occ.state.oh.usberger@occ.state.oh.usschuler@occ.state.oh.us*Attorneys for Office of the Ohio Consumers’ Counsel*Page FourJuly 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.orgjmaskovyak@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.orgrjohns@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*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*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*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*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)