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**BEFORE  
THE PUBLIC UTILITIES COMMISSION OF OHIO**

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**PUCO**

In the Matter of the Commission's Review )  
of Chapters 4901:1-9, 4901:1-10, 4901:1-21 ) Case No. 06-653-EL-ORD  
4901:1-22, 4901:1-23, 4901:1-24 and )  
4901:1-25 of the Ohio Administrative Code )

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**INITIAL COMMENTS OF OHIO HOME BUILDERS, INC.**

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**I. INTRODUCTION**

By entry dated April 4, 2007, the Public Utilities Commission of Ohio ("Commission") issued Staff's proposed modifications to the rules in the chapters of the Administrative Code captioned above and requested comments from interested persons. A technical conference was held on May 3, 2007 and numerous parties filed initial and reply comments on June 8, 2007 and July 24, 2007, respectively. Prior to the Commission's final issuance of revised rules, Amended Substitute Senate Bill 221 ("SB 221") was passed. Upon consideration of SB 221 and the comments previously received, the Commission Staff reconsidered its proposed rules contained in Chapters 4901:1-9, 4901:1-10, 4901:1-21, 4901:1-22, 4901:1-23, 4901:1-24, and 4901:1-25, Ohio Administrative Code, and recommended revisions to its previously issued proposed rules, as well as additional modifications consistent with SB 221. Staff's revised proposal was issued by Commission Entry on July 23, 2008. The Entry requested that all interested persons file initial and reply comments to the proposed rule revisions by August 12<sup>th</sup> and 22<sup>nd</sup>, 2008, respectively, and respond to three specific questions.

Accordingly, the Ohio Home Builders Association, Inc. ("OHBA") respectfully submits its comments for the Commission's consideration.<sup>1</sup>

## **II. COMMENTS**

### **A. Definitions**

In proposed rule 4901:1-9-07(A), the proposed definition for "Contribution in aid of construction" ("CIAC") states that it includes "any amount of money or property contributed to an electric utility to the extent that the purpose of the contribution is to provide for line extensions for new customers." OHBA believes that the definition should not be limited to line extensions for new customers, but should also include any money or property contributed to an electric utility by existing customers for new line extensions as well. Accordingly, OHBA requests that the proposed definition be revised as follows:

(1) "Contribution in aid of construction" (CIAC) means, for the purpose of this rule, any amount of money or property contributed to an electric utility to the extent that the purpose of the contribution is to provide for new line extensions ~~for new customers~~.

### **B. Cost Estimates**

Proposed rule 4901:1-9-07(D)(2) states that the electric distribution utility ("EDU") must provide a binding, firm estimate within 45 days of a request that is valid for 90 days. Given typical residential building schedules and the fact that typical residential line extensions are fairly standard compared to commercial and industrial line extensions, 45 days is too long of a period to wait for a binding estimate. OHBA requests that the Commission provide different time frames for residential versus

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<sup>1</sup> OHBA does not have any responsive comments to the three questions set out by the Commission.

extensions and shorten the time by which an EDU must provide a good faith binding estimate for residential line extensions to 20 days.

**C. Timeframes for starting and completing line extensions**

While cost estimates are important, the timing of the actual line extension installation is more important to OHBA. However, the proposed rules do not include a deadline by which the EDUs must start or complete work. OHBA believes that this could be cured by revising proposed rule 4901:1-10-09(A)(2) as follows:

(2) Ninety per cent of service upgrades and service installations that require construction of electric facilities including the setting of the meter and that are not primary nonresidential line extensions shall:

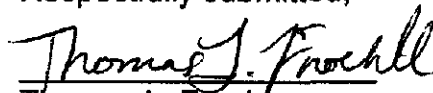
**D. Third-party installation**

Proposed rule 4901:1-9-07(D)(4) states that an EDU may allow third-party installation of line extensions subject to EDU specifications and inspections. OHBA requests that the Staff clarify when an EDU may prohibit third-party installations, such as for safety reasons.

**III. CONCLUSION**

Wherefore, for the reasons discussed above, OHBA requests that the Commission incorporate OHBA's suggestions into the proposed rules.

Respectfully submitted,

 *LOM per email authority*  
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