

BEFORE

THE PUBLIC UTILITIES COMMISSION OF OHIO

In the Matter of the Commission's Review)
of its Rules for the Establishment of Credit)
for Residential Utility Services and the)
Disconnection of Gas, Natural Gas, or) Case No. 13-274-AU-ORD
Electric Services to Residential Customers)
Contained in Chapters 4901:1-17 and)
4901:1-18 of the Ohio Administrative)
Code.)

ENTRY

The Commission finds:

- (1) Section 119.032, Revised Code, requires all state agencies to conduct a review, every five years, of their rules and to determine whether to continue their rules without change, amend their rules, or rescind their rules. At this time, the Commission is reviewing the rules contained in Chapters 4901:1-17 and 4901:1-18 of the Ohio Administrative Code (O.A.C.).
- (2) Section 119.032(C), Revised Code, requires that the Commission determine:
 - (a) Whether the rules should be continued without amendment, be amended, or be rescinded, taking into consideration the purpose, scope, and intent of the statute under which the rules were adopted;
 - (b) Whether the rules need amendment or rescission to give more flexibility at the local level;
 - (c) Whether the rules need amendment to eliminate unnecessary paperwork; and
 - (d) Whether the rules duplicate, overlap with, or conflict with other rules.

- (3) In addition, on January 10, 2011, the governor of the state of Ohio issued Executive Order 2011-01K, entitled "Establishing the Common Sense Initiative," which sets forth several factors to be considered in the promulgation of rules and the review of existing rules. Among other things, the Commission must review its rules to determine the impact that a rule has on small businesses; attempt to balance the critical objectives of regulation and the cost of compliance by the regulated parties; and amend or rescind rules that are unnecessary, ineffective, contradictory, redundant, inefficient, or needlessly burdensome, or that have had negative, unintended consequences, or unnecessarily impede business growth.
- (4) Additionally, in accordance with Section 121.82, Revised Code, in the course of developing draft rules, the Commission must evaluate the rules against the business impact analysis (BIA). If there will be an adverse impact on businesses, as defined in Section 107.52, Revised Code, the agency is to incorporate features into the draft rules to eliminate or adequately reduce any adverse impact. Furthermore, the Commission is required, pursuant to Section 121.82, Revised Code, to provide the Common Sense Initiative (CSI) office the draft rules and the BIA. The Commission is to consider any recommendations made by CSI with regard to the draft rules and provide CSI with a memorandum explaining either how CSI's recommendations were incorporated into the rules or why the recommendations were not incorporated into the rules.
- (5) The Commission has considered the current rule review procedures and revised them to incorporate the new CSI process. As part of our new procedure, the Commission finds that, prior to issuing the Commission Staff's proposed revisions to the rules for comment, it is appropriate to require Staff to hold a workshop with interested stakeholders.
- (6) In establishing the agenda for the workshop in this case, the Commission notes that rules regarding Ohio's Percentage of Income Payment Plan (PIPP) program are contained in both the Commission's rules for gas utilities, Chapter 4901:1-18, O.A.C., and in the Ohio Development Services Agency's (ODSA) rules for electric utilities, Chapter 122:5-3, O.A.C. While considering potential changes to the rules for the PIPP

program, the staffs of the two agencies have been coordinating their review of the rules in order to establish clear and consistent rules for both the gas and electric utilities. The Commission supports these efforts and appreciates ODSA's willingness to collaborate with us on this important endeavor. In the spirit of this collaboration, the Commission believes it would be beneficial to hold a joint workshop with ODSA to consider the rules governing the gas and electric PIPP program. The Commission recognizes that there are also rules in Chapters 4901:1-17, 4901:1-18, and 122:5-3, O.A.C., that are not in common between the two agencies; therefore, the workshop should be structured to provide adequate time for stakeholders to provide input on all the rules in these chapters.

- (7) Accordingly, the Commission finds that a joint workshop between the Commission and ODSA should be scheduled for March 5, 2013, at 10:00 a.m., at the offices of the Commission, 180 East Broad Street, Hearing Room 11-B, Columbus, Ohio. Staff and representatives from ODSA will jointly conduct the workshop. The first topic of discussion will address the PIPP provisions contained within Chapters 4901:1-18 and 122:5-3, O.A.C. Following stakeholder discussion on PIPP provisions, representatives from ODSA will take comments on other items contained within Chapter 122:5-3, O.A.C. Finally, the Commission's Staff will take comments on the remainder of Chapters 4901:1-17 and 4901:1-18, O.A.C. The workshop will be transcribed. Furthermore, to allow broader access to the workshop, it will be webcast. Persons wishing to view the workshop via the web should access the Commission's web site at www.puco.ohio.gov and click on Webcasts.


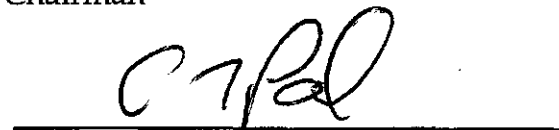
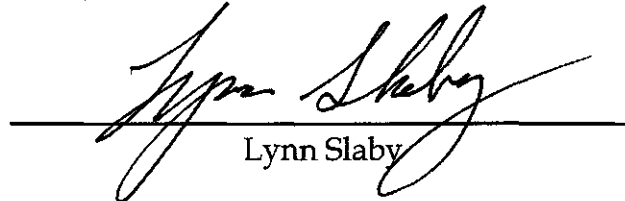
At the workshop, feedback will be elicited on preliminary proposed revisions to the rules, if any, and stakeholders will be permitted to propose their own revisions to the rules for consideration. Interested stakeholders should come to the workshop prepared with necessary technical experts to provide appropriate feedback.

It is, therefore,

ORDERED, That a workshop be scheduled for March 5, 2013. It is, further,

ORDERED, That a copy of this entry be served upon all electric distribution companies, gas or natural gas companies, waterworks and/or sewage disposal companies, certified competitive retail electric service providers and certified competitive retail natural gas service suppliers, the Office of the Ohio Consumers' Counsel, ODSA, and any other interested persons of record.

THE PUBLIC UTILITIES COMMISSION OF OHIO


Todd A. Snitchler, Chairman
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JJT/sc

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JAN 30 2013
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Secretary