

**BEFORE**

**THE PUBLIC UTILITIES COMMISSION OF OHIO**

<b>In the Matter of the Commission's</b>	)	
<b>Review of Chapter 4901:1-10, Ohio</b>	)	<b>Case 12-2050-EL-ORD</b>
<b>Administrative Code, Regarding</b>	)	
<b>Electric Companies</b>	)	

---

**INITIAL SUPPLEMENTAL COMMENTS OF  
OHIO POWER COMPANY**

---

**Introduction:**

Ohio Power Company (AEP Ohio or the Company) submits these initial comments for Commission consideration. By entry dated July 10, 2013 the Commission seeks comments from interested parties to review the newly proposed rules related to customer meter opt out capability shown in OAC 4901:1-10, Electric Service Standards, and file initial comments no later than August 6, 2013 and file reply comments by August 16, 2013. AEP Ohio respectfully submits the following comments.

**Section 4901: 1-10-01 Definitions**

**Advanced Meter Definition**

The definition of "Advanced Meter" as currently written covers both AMI and AMR meters. AEP Ohio recommends further defining the difference between a 'Smart' (or AMI) meter which has two way communications compared to that of a 'Dumb' meter with one-way communication. Some customers do not want to have 'Smart Meters' due to the quantity and type of information which can be garnered from them. Having one

definition cover two very different types of meter is a concern to the Company since customers with a less sophisticated AMR meter may think it has greater capabilities for providing information than it actually does. The current rule would not distinguish the difference. In order to further define the difference, AEP Ohio recommends an additional definition for a Smart Meter:

**“Smart meter” means any advanced electronic meter that houses the capability to both send and receive electric utility meter information to a remote central utility collector and/or a Home Area Network (HAN), either wirelessly or through a hard wired communication system.**

If this definition is added, the Company further suggests the addition to the current “Advanced meter” definition:

**"Advanced meter" means any meter that meets the pertinent engineering standards using digital technology to measure demand and/or usage and has the capability to communicate such measurements to the electric utility without a manual read, THIS INCLUDES BUT IS NOT LIMITED TO SMART METERS.**

#### **Customer Energy Usage Data**

The current definition of Customer energy usage data could possibly cause misinterpretation. AEP Ohio recommends the following clarification this definition.

**"Customer energy usage data" means energy usage information and data that is TYPICALLY MADE AVAILABLE TO THE CUSTOMER AS PART OF THE METERING INRASTRUCTURE SERVING THAT ACCOUNT.**

#### **De-Identified Energy Usage Data**

The newly proposed definition of “De-identified energy usage data” comingles the concepts of aggregated data and de-identified data. These are two separate constructs

since you can have de-identified data that is NOT aggregated, and vice versa. The Company suggests the following clarification:

"De-identified energy usage data" means ~~aggregated~~ **ENERGY USAGE** information and data that is not identifiable to an individual retail customer **NOR** ~~or~~ could **not** be used to reasonably ascertain a customer's identity.

### **Third-Party Developer**

The newly proposed definition of “Third-party developer” could use some additional clarification for the purpose that not all third parties are ‘developers.’ Typically, ‘third-party’ means any entity other than the customer and the utility (including their contractors and agents relied upon to provide utility services to customers). As indicated by the proposed definition, there are certain third-parties that have a reasonable interest and right to access customer data. However there can be numerous other types of third parties (beyond ‘developers’) who might seek to gain access to customer data, such as non-CRES provider marketing organizations, consultants, database marketing companies, landlords, etc. Therefore, AEP Ohio suggests the following clarification:

"Third-party developer" means any person other than the electric utility (**INCLUDING THEIR CONTRACTORS AND AGENTS**), A CUSTOMER’S CRES provider **OF RECORD**, applicable regulatory ~~authority~~ **AUTHORITIES**, , or independent system operator **OR REGINAL TRANSMISSION ORGANIZATION**, that has an interest in, **SEEKS TO GAIN ACCESS TO**, or that uses ~~customer energy usage~~ data **RELATED TO THE CUSTOMER’S UTILITY SERVICE.**

## **Time Differentiated Rates**

The definition of time differentiated rates needs a minor clarification. The current language declares that there are only three types of time differentiated rates and those are hourly, daily, or seasonally. In actuality, there are many other reasonable increments for time differentiation. Therefore the Company suggests the following minor modification:

"Time differentiated rates" means rates that vary from one time period to another, ~~which may be~~ **SUCH AS** hourly, daily, or seasonally.

## **Traditional Meter**

The proposed definition of a traditional meter is currently inadequate and requires some expansion. Mainly, there may be some customer confusion with respect to a meter with an antiquated set of dial indicators versus the same meter with a digital display. The mere existence of a digital display does not make a particular meter “advanced” or “smart.” In fact, meters with the analog displays are no longer in production; thus AEP Ohio will not allow customers to only accept analog meter displays, and fear that without further clarification a customer may unwittingly try to opt out of a conventional meter with a digital display. Therefore, the Company suggests the following change to the definition:

"Traditional meter" means any meter **WITH AN ANALOG OR DIGITAL DISPLAY** ~~that is not an advanced meter~~ **THAT DOES NOT HAVE THE CAPABILITY TO AUTOMATICALLY COMMUNICATE READINGS TO THE UTILITY USING EITHER ONE-WAY OR TWO-WAY COMMUNICATIONS.**

## **4901:1-10-05(J)(1) Metering**

Under the current proposed rule language it states that the customer has the option to take electric service using a traditional meter, which can imply that the utility will always

offer a customer a choice prior to installing advanced meters or upon starting new service. This rule is for customers who personally request to opt out of an advanced meter and that it is not the utility's responsibility to offer an option upon new service or mass meter replacement projects. During mass meter replacements, customers are notified of the meter replacements, although if a customer calls and refuses the meter the day of replacement, the utility may not be able to stop replacement of the meter if the customer is not at the premise in person to halt installation. The way the current rule reads, the customer may point to the fact that they notified the company and do not want to pay for the cost to replace the meter since they notified the company ahead of the installation, even though the call may have occurred just minutes prior to the meter replacement. Therefore, AEP Ohio suggests some minor changes to the rule:

A customer shall have the option to ~~take~~ **REQUEST** electric service using a traditional meter and may request a traditional meter and opt out of advanced meter service by contacting the electric utility. An electric utility shall provide customers with the option to remove an installed advanced meter and replace it with a traditional meter, and the option to decline installation of an advanced meter **IN PERSON OR BY PHONE WITHIN 1 FULL BUSINESS DAY OF NOTICE** and retain a traditional meter, including a cost-based, tariffed opt-out service.

**4901:1-10-05(J)(2)(a) Metering**

While the newly proposed rules address costs the customers will incur due to the opt out of an advanced meter, AEP Ohio would also like to see additional language which address the frequency of meter reading for customers who require a manual meter read each month. AEP Ohio has been installing advanced meters so that customers can get an accurate monthly meter read since at times it is difficult to manually read a meter each month due to scheduled vacation time, poor weather, locked gates and/or dogs, and storm

restoration activity. Since a customer is opting out of having an automated monthly meter read, AEP Ohio requests that additional language be added which addresses the fact that utilities in their tariff may also address the frequency of manual meter reads. Therefore AEP Ohio recommends the following change:

(2) The electric utility shall notify the customer of the following if a customer expresses interest in using a traditional meter:

- (a) The customer will be required to pay the costs associated with the installation of the traditional meter, the ongoing costs associated with the manual reading of the traditional meter, **METER READING FREQUENCY AS SPECIFIED BY THE UTILITY**, and other fees and costs that may be assessed by the electric utility associated with the traditional meter.

**4901:1-10-05(J)(2)(b) Metering**

The newly proposed language which states, “If the customer is currently enrolled in a product or service requiring an advanced meter as a condition of enrollment, the electric utility shall notify the customer that a different product or service must be chosen prior to installation of the traditional meter,” should be stricken and removed entirely. As a company who will no longer control many of the generation offers, pricing, and contracts it is not likely and unreasonable to expect the utility to be aware of what programs a customer has chosen and when they require an advanced meter from a retail generation supplier. It will be the customer’s responsibility to be aware of such a situation and the retail generation suppliers’ responsibility to educate and inform the customer of any special metering needs for their generation product. The utilities should not, and cannot police and enforce a customer’s metering needs due to agreements made between the customer and the retail generation supplier. Any and all costs incurred by changing a meter to accommodate a program agreement between a customer and a generation

supplier, or to change it back following the termination of that program agreement will be at the cost of the customer or the generation supplier, based on the terms of their mutual agreement.

**4901:1-10-05(J)(4)(b)(ii) Metering**

The proposed rule which states, “The tariff shall not be available to any customer taking generation service under a time differentiated rate,” should be stricken altogether or clarified to state that this addresses only customers which are under the utility’s time differentiated generation tariffs. A utility company, as mentioned above, would not know and is not supposed to know if a customer is on a time differentiated rate with a retail generation supplier. Therefore, AEP Ohio suggests that this rule be stricken altogether since a customer may feel more strongly about not having an advanced meter than time differentiated rates.

**Conclusion**

For the foregoing reasons, AEP Ohio respectfully requests that the Commission consider the above comments.

Respectfully submitted,

//ss//Matthew J. Satterwhite

Matthew J. Satterwhite

Steven T. Nourse

AMERICAN ELECTRIC POWER CORPORATION

1 Riverside Plaza, 29<sup>th</sup> Floor

Columbus, Ohio 43215

Telephone: 614-716-1915

Fax: 614-716-2950

[mjsatterwhite@aep.com](mailto:mjsatterwhite@aep.com)

[stnourse@aep.com](mailto:stnourse@aep.com)

**Counsel for Ohio Power Company**

## CERTIFICATE OF SERVICE

I hereby certify that a true copy of the foregoing *Initial Supplemental Comments* were served upon the parties of record by electronic mail, this 6<sup>th</sup> day of August 2013.

/s/ Steven T. Nourse  
Steven T. Nourse

### **Email Service List**

[Willaim.wright@puc.state.oh.us](mailto:Willaim.wright@puc.state.oh.us)  
[Bryce.mckenney@puc.state.oh.us](mailto:Bryce.mckenney@puc.state.oh.us)  
[callwein@wamenergylaw.com](mailto:callwein@wamenergylaw.com)  
[Nolan@theoec.org](mailto:Nolan@theoec.org)  
[bojko@carpenterlipps.com](mailto:bojko@carpenterlipps.com)  
[jkeyes@kfwlaw.com](mailto:jkeyes@kfwlaw.com)  
[tculley@kfwlaw.com](mailto:tculley@kfwlaw.com)  
[NMcDaniel@elpc.org](mailto:NMcDaniel@elpc.org)  
[annie@votesolar.org](mailto:annie@votesolar.org)  
[Jeanne.kingery@duke-energy.com](mailto:Jeanne.kingery@duke-energy.com)  
[Elizabeth.watts@duke-energy.com](mailto:Elizabeth.watts@duke-energy.com)  
[Amy.spiller@duke-energy.com](mailto:Amy.spiller@duke-energy.com)  
[nathan@buckeyeforestcouncil.org](mailto:nathan@buckeyeforestcouncil.org)  
[selliott@metrocdengineering.com](mailto:selliott@metrocdengineering.com)  
[mhpetricoff@vorys.com](mailto:mhpetricoff@vorys.com)  
[smhoward@vorys.com](mailto:smhoward@vorys.com)  
[mwhite@igsenergy.com](mailto:mwhite@igsenergy.com)  
[vparisi@igsenergy.com](mailto:vparisi@igsenergy.com)  
[Judi.sobecki@dplinc.com](mailto:Judi.sobecki@dplinc.com)  
[trent@theoec.org](mailto:trent@theoec.org)  
[haydenm@firstenergycorp.com](mailto:haydenm@firstenergycorp.com)  
[scasto@firstenergycorp.com](mailto:scasto@firstenergycorp.com)  
[burkj@firstenergycorp.com](mailto:burkj@firstenergycorp.com)  
[cdunn@firstenergycorp.com](mailto:cdunn@firstenergycorp.com)  
[tsiwo@bricker.com](mailto:tsiwo@bricker.com)  
[mwarnock@bricker.com](mailto:mwarnock@bricker.com)  
[mjsatterwhite@aep.com](mailto:mjsatterwhite@aep.com)  
[stnourse@aep.com](mailto:stnourse@aep.com)

[tobrien@bricker.com](mailto:tobrien@bricker.com)  
[sgiles@hullinc.com](mailto:sgiles@hullinc.com)  
[Emma.berndt@opower.com](mailto:Emma.berndt@opower.com)  
[rick@OHANET.org](mailto:rick@OHANET.org)  
[joseph.clark@directenergy.com](mailto:joseph.clark@directenergy.com)  
[Jennifer.lause@directenergy.com](mailto:Jennifer.lause@directenergy.com)  
[cmooney@ohiopartners.org](mailto:cmooney@ohiopartners.org)



**This foregoing document was electronically filed with the Public Utilities**

**Commission of Ohio Docketing Information System on**

**8/6/2013 4:40:47 PM**

**in**

**Case No(s). 12-2050-EL-ORD**

Summary: Comments Initial Supplemental Comments of Ohio Power Company electronically filed by Mr. Steven T Nourse on behalf of Ohio Power Company