

**BEFORE  
THE PUBLIC UTILITIES COMMISSION OF OHIO**

In the Matter of the Commission's	)	
Review of Chapter 4901:1-10, Ohio	)	Case No. 12-2050-EL-ORD
Administrative Code, Regarding	)	
Electric Companies		

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**INITIAL COMMENTS OF DIRECT ENERGY SERVICES, LLC  
AND DIRECT ENERGY BUSINESS, LLC**

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December 18, 2015

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and Direct Energy Business, LLC

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**I. INTRODUCTION**

On January 15, 2014, The Commission issued a Finding and Order in this case that adopted amended and no changes rules in Ohio Admin. Code Chapter 4901:1-10, and ordered that they be filed with the Joint Committee on Agenda Rule Review (JCARR), the Secretary of State, and the Legislative Service Commission. Subsequently, rule 4901:1-20-28, regarding net metering, was withdrawn from JCARR for further consideration. On May 5, 2015, the Commission's Staff conducted a workshop to receive stakeholder input on net metering. At that workshop, Teresa Ringenbach provided comments on behalf of Direct Energy Services, LLC and Direct Energy Business, LLC (jointly, "Direct Energy"). On November 18, 2015, the Commission issued an Entry with proposed changes to Chapter 4901:1-10-28, Ohio Admin Code and set a procedural schedule for initial and reply comments. Direct Energy submits the following initial comments.

**II. INITIAL COMMENTS**

As a threshold matter, Direct Energy largely supports the proposed rules. Net metering policy is a key component to the viability of the wind and solar industry, and Direct Energy

believes that some of the changes proposed by the Commission could positively impact the continued development of these industries in Ohio.

Section 4901:1-10-28 (B)(9) on “Standard net metering,” outlines the process of calculating the net electricity supplied or received by a customer-generator on a monthly basis. In section instances in this section, the proposed rules use the terms “supplied” and “received” in place of “produced” or “generated” and “consumed” – the rationale or purpose for these changes is unclear but this change is inconsistent with current statutory language that requires the electric utility to “measure the net electricity produced or consumed during the billing period.”<sup>1</sup> Direct Energy suggests that this language be changed to use the terms “produced” and “consumed,” as used in the statute.

### **III. CONCLUSION**

Direct Energy requests the Commission accept its suggested change to the proposed amendments contained in the Commission’s November 18, 2015 Entry.

Respectfully submitted,

/s/ Jennifer L. Spinosi

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<sup>1</sup> See Sec. 4928.6715(A)

### **CERTIFICATE OF SERVICE**

I certify that an accurate copy of the forgoing Initial Comments has been filed with the Public Utilities Commission of Ohio on December 18, 2015, and electronically served upon all parties of record via the PUCO's electronic filing system.

/s/ Jennifer L. Spinosi  
Jennifer L. Spinosi

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Summary: Comments Initial Comments electronically filed by Ms. Jennifer L. Spinosi on behalf of Direct Energy Business, LLC and Direct Energy Services, LLC