

THE PUBLIC UTILITIES COMMISSION OF OHIO

IN THE MATTER OF THE ANNUAL
REPORTS FOR CALENDAR YEAR 2017 FOR
THE FISCAL ASSESSMENT OF ALL
REGULATED ENTITIES.

CASE NO. 18-01-AU-RPT

ENTRY

Entered in the Journal on March 14, 2018

I. SUMMARY

{¶ 1} The Commission directs all regulated entities to register for access to the Commission's new, web-based filing system known as the PUCO Community and to file a 2017 annual report for fiscal assessment through the PUCO Community by May 31, 2018. Those entities that fail to file a timely 2017 annual report may be subject to a forfeiture. R.C. 4905.54.

II. DISCUSSION

{¶ 2} R.C. 4905.10 requires each railroad and public utility to pay an annual assessment based upon their intrastate gross earnings for the purpose of maintaining the operations of this Commission.¹ In order to calculate such assessment, R.C. 4905.14 requires each railroad and each public utility to file an annual report with the Commission. R.C. 4905.10(A) sets a minimum assessment of \$100 per company, regardless of their intrastate gross revenues² in the reporting year. Every company that conducted jurisdictional operations during calendar year 2017 is required to file a report.

¹ R.C. 4905.03(A) defines public utility companies to include telephone companies, electric light companies (except regional transmission organizations), heating or cooling companies, natural gas distribution companies, pipeline companies, and water-works and sewage disposal system companies. Railroad, bridge, and water transportation companies are included in the annual reporting requirement under R.C. 4907.02 and 4907.20. All certified retail electric and natural gas suppliers and aggregators are also subject to this reporting requirement under R.C. 4928.06 and 4929.23; while R.C. 4905.10(D) provides that, for the purpose of annual assessment, "public utility" includes electric and gas suppliers and aggregators subject to certification under R.C. 4928.08 and 4929.20, respectively.

² For the purposes of this annual report, gross earnings and gross receipts are terms used interchangeably with gross revenue.

{¶ 3} Each regulated entity must file a separate report for each certificate held. Companies with two or more certificates should submit an annual report for each certificate or authority held during 2017, even if the company did not have intrastate gross earnings during the 2017 calendar year. No annual report is required for certificates issued in 2018.

{¶ 4} Concurrent with the filing of this Entry, Staff is directed to post on the Commission's website, and file in this docket, a list of all companies subject to fiscal assessment for the 2017 calendar year, based on Commission records. Each company listed thereon is directed to submit its annual report using the Commission's web-based filing system by May 31, 2018.

{¶ 5} The Commission has a new, streamlined web-based filing system this year. Annual reports will be accepted via the Commission's new online system known as the PUCO Community. Through the PUCO Community, regulated entities are able to file their annual reports and pay the assessments securely online with no additional fees.

{¶ 6} Regulated entities are directed to register for access to the PUCO Community at <https://www.puc.state.oh.us/secure/communityregistration/>. The registration process requires each regulated entity to update important contact information on file with our office, such as the president or primary official, the individual designated for filing the annual report for fiscal assessment, as well as establishing an account administrator who will be authorized to manage the regulated entity's contacts on file with our agency in the PUCO Community. Regulated entities will need their PUCO ID and certificate number for the registration process. Once the registration is completed, each contact will then receive an email from support@salesforce.com with a link to establish a secure password for PUCO Community access. The registration process must be completed to enable access to the PUCO Community and filing the 2017 annual report.

{¶ 7} For those annual report filers already registered in the PUCO Community, the new annual reports system can be accessed by visiting <https://community.puco.ohio.gov>.³ For the annual report filers already registered in the PUCO Community, they will receive notifications from the online system when the system is available to receive filings. In addition to filing the required supplemental documents and financial information, including the intrastate gross earnings of the company, each reporting company is requested to verify and update the docketing contact, who will receive official legal notice or service of process on behalf of the regulated company, and the fiscal contact, who will receive and have authority to pay online the annual fiscal assessment or other invoices from the Commission.

{¶ 8} With regard to the financial information required in the annual report, railroads, competitive retail electric service (CRES) providers, and competitive retail natural gas service (CRNGS) providers should take note of the following special instructions and definitions. CRES and CRNGS providers should note that all certified suppliers, including brokers and aggregators who do not take title to the power or gas, must report all gross revenues derived from Ohio intrastate transactions. This includes reporting fees and commissions earned on Ohio jurisdictional transactions. Additionally, for annual report purposes, earnings for wholly intrastate railroads means the "entire gross transportation receipts" while earnings for interstate railroads means "the average gross transportation receipts per mile over its whole extent within and without the state of Ohio and multiplying the result by the number of miles operated in Ohio."

{¶ 9} Regulated companies are also reminded to stay in compliance with relevant legal requirements to report or make applications to the Commission for changes in company information or corporate structure, such as changes in company name, mergers, transfers, etc. If any company information such as mailing address, company name, or

³ The Commission will report annual report data to the Ohio Consumers' Counsel (OCC) satisfying the requirements of R.C. 4905.14; hence, reporting companies are no longer required to file their annual report separately with the OCC.

president of the company are not up-to-date in the annual report filing system, please contact the Commission's Docketing Division at (614) 466-4095 or docketing@puco.ohio.gov. All information required to be submitted in a company's report is subject to audit by the Commission. All annual reports received by the Commission are public records and will not be accorded confidential treatment.

{¶ 10} All certified suppliers are reminded that in addition to the filing of fiscal annual reports, all CRES and CRNGS providers must renew their certificates every two years, pursuant to R.C. 4928.08(C) and 4929.20(B) and Ohio Adm.Code 4901:1-24-09 and 4901:1-27-09. Additionally, CRES and CRNGS providers are required, within 30 calendar days of the change, to make material change notifications to the Commission, if there are any changes to the information supplied in the original application, pursuant to Ohio Adm.Code 4901:1-24-11 and 4901:1-27-11. Also, electric suppliers who take title to the power are reminded to file renewable portfolio reports by April 17, 2018.⁴

{¶ 11} All companies are hereby put on notice that the Commission will expect timely compliance from all reporting companies. All reporting companies should take notice that a civil forfeiture of up to \$10,000, may be assessed, pursuant to R.C. 4905.54, against any company that fails to comply by the May 31, 2018 deadline, absent good cause shown. Such forfeiture would be in addition to any amounts owed to this Commission.

{¶ 12} Additionally, all reporting companies should subscribe to the appropriate Commission industry listserv(s), which can be done by submitting your email to the Commission's Docketing Division under "Service List Sign Up" at: <https://www.puco.ohio.gov/docketing/service-list-sign-up/>. The Commission uses the industry service lists to send notices, forms, industry-specific communications, such as noticing a rule-making proceeding or compliance with other reporting obligations to the Commission. It is recommended that reporting entities consider using company rather than

⁴ Go to www.puco.ohio.gov/puco/renewables for further details.

individual employee mailboxes, and take appropriate actions to ensure that e-mail from the Commission is not blocked or disabled.

{¶ 13} Any reporting company that is unable to use electronic mail service for notices or communications, or the new online PUCO Community for filing its annual report, should contact the Commission's Docketing Division at (614) 466-4095 to request special accommodations.

III. ORDER

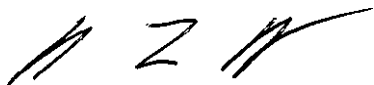
{¶ 14} It is, therefore,

{¶ 15} ORDERED, That each regulated entity register for access to the PUCO Community as directed in Paragraph 6. It is, further,

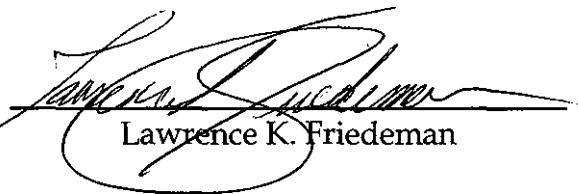
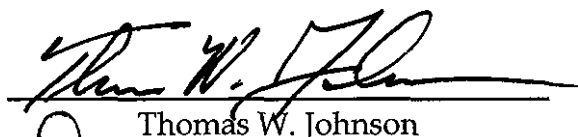
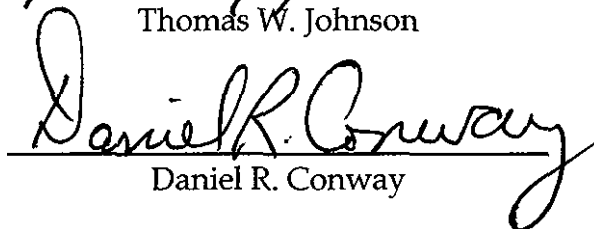
{¶ 16} ORDERED, That each reporting company subject to fiscal assessment for the 2017 calendar year submit its annual report using the online system by May 31, 2018, or contact the Commission's Docketing Division for special accommodations. It is, further,

{¶ 17} ORDERED, That notice of this Entry be served via the Electric-Energy, Gas-Pipeline, Railroad, Telephone, and Water industry listservs, and directly upon each company contact on the list being filed concurrently with this Entry.

THE PUBLIC UTILITIES COMMISSION OF OHIO



Asim Z. Haque, Chairman

M. Beth Trombold
Lawrence K. Friedeman
Thomas W. Johnson
Daniel R. Conway

AS/vrm

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MAR 14 2018

Barcy F. McNeal
Secretary