

**BEFORE
THE PUBLIC UTILITIES COMMISSION OF OHIO**

In the Matter of the Commission’s)	
Review of Ohio Adm. Code)	Case No. 17-1842-EL-ORD
Chapter 4901:1-10)	

INITIAL COMMENTS OF OHIO POWER COMPANY

INTRODUCTION

By Entry dated July 17, 2019, the Public Utilities Commission of Ohio (“Commission”) proposed amendments to Ohio Administrative Code Chapter 4901:1-10. Ohio Power Company (“AEP Ohio” or the “Company”) appreciates the opportunity to comment on the proposed rules. AEP Ohio’s comments generally are focused on proposed changes that will modernize the rules with respect to how the utility and its customer communicate, as well as those necessary to reflect system improvements that Ohio electric distribution utilities (“EDUs”) have made since the rules were last reviewed.

COMMENTS

Section 4901:1-10-01 Definitions.

AEP Ohio suggests that a new definition be added as a new section (X):

(X) “ODSA” means the Ohio Development Services Agency.

For clarification, AEP Ohio suggests the following modification to subsection (S):

“Governmental aggregation program” means the aggregation ~~program established by the~~ of customers to receive CRES from a governmental aggregator with a fixed aggregation term, which shall be a period of not less than one year and no more than three years.

The reliability minimum performance standards, as well as the majority of the reporting requirements found in Ohio Adm. Code 4901:1-10-10 and 4901:1-10-11 focus on distribution

system performance, excluding major events. IEEE 1366 is an industry standard utilized to distinguish normal operations from those outside a statistical boundary. That boundary is the major event day threshold, which is determined by a statistical evaluation of the daily SAIDI performance. Given that the focus of these provisions is the reliability and performance of the distribution system, transmission outages must be excluded from the computation of major events. As such, AEP Ohio suggests that Staff's revision to subsection (T) should be rejected and the words "The computation for a major event requires the exclusion of transmission outages." should be reinstated:

"Major event" encompasses any calendar day when an electric utility's system average interruption duration index (SAIDI) exceeds the major event day threshold using the methodology outlined in section 3.5 of standard 1366-2012 adopted by the institute of electrical and electronics engineers (IEEE) in "IEEE Guide for Electric Power Distribution Reliability Indices." The threshold will be calculated by determining the SAIDI associated with adding 2.5 standard deviations to the average of the natural logarithms of the electric utility's daily SAIDI performance during the most recent five-year period. The computation of a major event requires the exclusion of transmission outages. For purposes of this definition, the SAIDI shall be determined in accordance with paragraph (C)(3)(e)(iii) of rule 4901:1-10-11 of the Administrative Code.

To eliminate possible confusion, AEP Ohio suggests the following modification to subsection (HH):

(HH) "Traditional meter" means any meter ~~with an analog or digital display~~ that does not have the capability to communicate with the utility using two-way communications.

4901:1-10-05 Metering.

For clarification, AEP Ohio suggests the following modification to subsection (A):

(A) Electric energy delivered to the customer shall be metered, except where it is impractical, as determined by the electric utility, to meter the electric usage, such as in street lighting and temporary or special installations. The usage in such exceptions may be calculated or billed on a demand or connected load rate as provided in an approved tariff on file with the commission.

To correct a typo, AEP Ohio suggests the following change to subsection (B):

- (B) A customer's electric usage shall be metered by commercially acceptable measuring devices that comply with "American National Standards Institute" (ANSI) standards. Meter accuracy shall comply with the 2014~~2015~~-version of ANSI C12.1 standards. No metering device shall be placed in service or knowingly allowed to remain in service if it does not comply with these standards.

To eliminate possible confusion, AEP Ohio suggests the following modification to subsection (E):

- (E) The electric utility's meters shall be installed and removed by the electric utility's personnel or authorized agent. Before initial service to a service location is energized, the electric utility shall verify that the installation of the meter base and associated equipment has been ~~both~~ inspected and approved by the local inspection authority or, in any area where there is no local inspection authority, has been inspected by a licensed electrician.

AEP Ohio also suggests adding a new subsection (G) to address net metering:

- (G) Net metering customers with a system greater than 50 kW shall install a UL certified meter socket on the output of the customer-owned generation inverter, allowing the utility to install a device capable of measuring the output of the customer-owned generation.

To eliminate administrative burden and expense that provides no benefit to the Company or its customers, AEP Ohio suggests the following change to subsection (H), excluding inventory meters that have never been installed:

- (H) Each electric utility shall maintain the following records regarding each customer meter that it owns, operates, or maintains, for the life of each such meter plus three years:

To eliminate potential confusion regarding advanced meter opt-out service, AEP Ohio suggests the following modification to subsection (J)(1):

- (1) An electric utility shall provide customers with the option to remove an installed advanced meter and replace it with a traditional meter, or in the event that an advanced meter has not been installed, the option to decline installation of an advanced meter and retain the customer's current meter as long as it meets industry standards for accuracy and safety, including a cost-based, tariffed opt-out service.

In no instance shall a utility be required to install metering equipment, or allow metering equipment to remain in service, that are not currently manufactured for the U.S. market.

AEP Ohio suggests the following modifications to subsection (J)(4) to include net metering customers and customers who pose a safety risk to the public, utility employees or representatives, and/or utility equipment:

- (4) The electric utility shall have the right to refuse to provide advanced meter opt-out service in ~~either~~ any of the following circumstances:
 - (a) If such a service creates a safety hazard to consumers or their premises, the public, or the electric utility's personnel or facilities.
 - (b) If a customer does not allow the electric utility's employees or agents access to the meter at the customer's premises.
 - (c) If a customer presents a safety hazard to utility employees, contractors or representatives, the public, or to utility equipment ("Code Red") customers.
 - (d) If the customer is being served under a net-metering tariff.

Because each utility has already filed and obtained approval of an AMI opt-out tariff, AEP Ohio suggest deleting the new subsection (5)(a) in its entirety.

4901:1-10-07 Outage reports.

When an outage occurs, customers have a plethora of platforms that facilitate communication with Utilities including social media, text messages, emails, and company websites. These platforms provide customers with accurate and near real-time information about outages in their area. To require increased reporting to PUCO would be administratively burdensome, create the opportunity for errors, and provide no benefit to customers. AEP Ohio suggests Staff's suggested changes be rejected and the original language be retained:

- (1) ~~One thousand, two hundred fifty customers in an area for a projected or actual period of two hours or more.~~ Two thousand five hundred or more customers in an area for a projected or actual period of four hours or more.
- (2) ~~Six hundred twenty five customers in an area for a projected or actual period of eight hours or more.~~ One hundred or more customers in an area for a projected

or actual period of twenty-four hours or more.

- (3) ~~One hundred or more customers in an area for a projected or actual period of twenty-four hours or more.~~
- (4) ~~Any time a circuit experiences a lockout, regardless of customer count or outage time.~~

To eliminate possible confusion, AEP Ohio suggests the following modification to subsection (A)(5):

- (53) A facility of any ~~telephone company, electric light company, natural gas company, water works company, or a sewage disposal system company,~~ as defined in section 4905.03 of the Revised Code and ~~including a company that is operated not for profit, or owned or operated by a municipal corporation,~~ priority customer, as determined by the utility, when an interruption to that facility for a projected period of four hours or more, affects or will affect public safety.

To eliminate possible confusion and ensure prompt and compliant communication, AEP Ohio suggests the following modification to subsection (B):

- (B) Each electric utility shall ~~immediately~~ report each outage to the commission's outage coordinator in a format prescribed by the outage coordinator.

To eliminate possible confusion and ensure prompt and compliant communication, AEP Ohio suggests the following modification to proposed subsection (C):

- (C) Each electric utility shall ~~immediately~~ notify the director of the service monitoring and enforcement department, or his or her designee, of any accidents ~~within thirty minutes after discovery unless notification within that time is impracticable~~ as soon as practical under the circumstances. As used in this rule, an "accident" is any event involving contact with utility electric lines or facilities which results in a death or an injury requiring hospitalization.

4901:1-10-08 Electric utility emergency plans and coordination for restoration of electric service.

Because fax is no longer a readily available method of communication, AEP Ohio suggests deleting subsection (G)(1)(c) in its entirety.

4901:1-10-09 Minimum customer service levels.

In order to minimizing delays in responding to customers who are not impacted by an outage, AEP Ohio, through its normal course of business, routes a portion of its inbound calls to its outage call-processing platform when it is determined that the customer is calling about an outage. We believe proposed section (A)(5) would require AEP to notify the Director of the Service Monitoring and Enforcement Department every time this rerouting occurs, which would result in sometimes daily or weekly reporting. Therefore, AEP Ohio suggests section (A)(5) be modified as follows:

(A)(5) When an electric utility ~~activates outage messaging on its~~ is experiencing system related issues or is otherwise unable to accept inbound customer calls, the electric utility shall notify the Director of the Service Monitoring and Enforcement Department, or its designee, of such messaging, and the anticipated timeframe for returning to normal business operations.

AEP Ohio provides exceptional customer service to its customers through fast answering times and staffs its call center in an effort to meet expected call volumes. We have put in place back up and over flow systems in case call volumes exceed forecasted calls. However, to maintain this level of service is expensive and at times the call center must prioritize Ohio calls to meet the monthly targets. AEP Ohio suggests changing the phone answering statistics to an annual average rather than a monthly average to consider seasonality of calls and to recognize that some months are well below the target. Specifically, AEP Ohio suggests the following change:

(B) On an annual calendar ~~monthly~~ basis, each electric utility's average (arithmetic mean) answer time for telephonic customer service calls shall not

exceed ninety seconds.

4901:1-10-10 Distribution system reliability.

The reliability minimum performance standards focus on the distribution system's performance. However, Ohio Adm. Code 4901:1-10-10 requires utilities to include outages in their service reliability indices that do not accurately reflect the reliability and performance of the distribution system. As such, AEP Ohio recommends that outages associated with scheduled distribution work be excluded from the indices, as these outages do not reflect the overall health of the distribution system. Specifically, scheduled outages, outages that impact customers while abnormally fed from alternate sources, and outages that occur when protective devices are placed in non-reclose configurations, or more sensitive settings for worker safety should be excluded from the indices. Scheduled outages are taken to improve the long-term health of the system, yet there is an immediate negative impact. Companies should not be discouraged from performing scheduled work just because it negatively impacts their reliability metrics in the near-term.

Additionally, AEP Ohio recommends that outages resulting from public acts be excluded from the indices. These outages are not within the utility's control and do not reflect distribution system reliability. IEEE 1782, "IEEE Guide for Collecting, Categorizing, and Utilizing Information Related to Electric Power Distribution Interruption Events" describes public interruptions as:

"Public—Any interruptions resulting as an act of the public at large should be put into the public category. Examples include: customer trouble, non-utility employee or contractor dig-in, fire/police requests, foreign contact (such as Mylar balloons, crane boom, and aluminum ladder), traffic accidents, vandalism, and fires and explosions not originating on or within utility-owned equipment."

The overall system impact of scheduled and public outages will still be quantified in subsection (C)(3).

Thus, AEP Ohio suggests the following changes to subsection (B)(4)(c):

- (c) Performance data during major events, outages associated with scheduled distribution work, outages caused by public acts, and transmission outages shall be excluded from the calculation of the indices, proposed standards, and any revised performance standards, as set forth in paragraph (B) of this rule.

AEP Ohio suggests the following change to subsection (B)(8):

- (8) The authorized performance standards approved for an electric utility shall remain in place until superseded by revised standards as approved by the commission. If the commission fails to act upon an electric utility's request to revise its authorized performance standards within forty-five calendar days after such request is submitted to the commission, the waiver request shall be deemed to have been granted.

As explained previously as part of AEP Ohio's recommendations related to proposed changes to Ohio Adm. Code §4901:1-10-01 (T), transmission outages are outside purview of the reliability minimum performance standards. In addition, requiring distribution companies to report every transmission outage imposes a significant burden on all distribution companies. The overall impact of transmission outages is already reported in subsection (C)(3). Therefore, AEP Ohio suggests the following change to subsection (C)(1):

- (1) Annual performance and supporting data for each service reliability index set forth in paragraph (B) of this rule both with and without exclusions for major events and transmission outages. Supporting data includes, for example, the number of customers served, the number of customer interruptions, the number of customer minutes interrupted, SAIFI data for a major event, and CAIDI data for a major event, ~~information concerning a transmission interruption and a listing of distribution circuits interrupted during a transmission interruption.~~

4901:1-10-11 Distribution circuit performance.

Under Ohio Adm. Code 4901:1-10-11 (C), electric utilities are required to identify the worst performing eight percent of the utilities distribution circuits. AEP Ohio believes five percent is a more accurate reflection of the utility's worst performing circuits. Changing the reporting requirement to five percent is not only a better reflection of the worst performing circuits; the

change would also allow the utility to focus on the circuits that are truly in need of repairs or upgrades. Hence, AEP Ohio suggests the following change to subsections (C) and (C)(1):

(C) Worst performing circuits. The following provisions apply to the reporting of each electric utility's ~~eight per cent~~ five percent worst performing circuits:

- (1) Each electric utility shall submit, no later than ninety calendar days after the end of its reporting period, a report to the director of the service monitoring and enforcement department that identifies the worst performing ~~eight per cent~~ five percent of the electric utility's distribution circuits during the previous twelve-month reporting period.

Current subsections (C)(3)(i) and (C)(3)(j) appear to be subsets of (C)(3)(h); therefore, AEP Ohio suggests renumbering subsection (C)(3)(h) as follows:

- (h) An identification of each circuit lockout that occurred during the reporting period, together with an explanation of the cause and duration of each such circuit lockout.
- (i) The total number of outages experienced during the reporting period for each such outage.
- (ii) The total number of out-of-service minutes experienced during the reporting period for each such outage.

Section 4901:1-10-14 Establishment of credit for nonresidential applicants and customers

AEP Ohio believes Staff's proposed changes help clarify that this section is only related to non-residential customers. In addition to Staff's proposed changes, AEP recommends the deposit amount for non-residential customers be increased to 200% of a typical bill. By the time non-residential customers receive a disconnect notice and are physically disconnected, the amount the customer owes usually represents at least 60 days of service. Therefore, the amount of the deposit should cover two months of service. Specifically, AEP Ohio recommends section (E)(1) of this section be modified as follows:

Replace "one hundred thirty per cent" with "two hundred percent." The sentence

will read in part, “The amount of the deposit shall not exceed two hundred percent of the estimated annual average monthly bill . . .”

Likewise section (G)(1) should be changed to reflect this change. Specifically, AEP Ohio recommends section (G)(1) should be modified as follows:

Delete “one hundred thirty per cent” and replace it with “two hundred percent.”

The sentence will read in part, “An electric utility may require a customer to make a deposit, not to exceed two hundred percent of the estimated annual average monthly bill . . .”

4901:1-10-15 Reasons for denial or disconnection of nonresidential service.

AEP Ohio believes non-residential customers should be able to avoid disconnect if they have a bona fide dispute, but a bona fide dispute should be limited to a formal complaint. A non-residential customer should not be permitted to avoid disconnection if they simply submit a question or an informal complaint to the PUCO. Therefore, AEP Ohio suggests Section (G) should be modified as follows:

Delete the words “registered a complaint with the commission’s call center or.”

The sentence would read in part “Where the customer has filed a formal complaint with the commission which reasonably asserts a bona fide dispute, the electric shall not disconnect service”

AEP Ohio also believes the utility should be permitted to disconnect service when a customer moves out of a given service location. As currently drafted, section (H) is unclear. Therefore, AEP Ohio recommends section (H) be modified as follows:

Delete the words “and the property owner is otherwise subject to disconnection.”

The Company would note that, if the property owner has a tenant reversion agreement, AEP Ohio would not disconnect service unless the landlord/owner so requests.

4901:1-10-16 Notice of disconnection of nonresidential service.

To reflect modern methods of communication between a utility and its customers, section 16 (A) should be modified as follows:

Add the words “which could be US mail or electronic mail,” after the words “pending disconnection.” The sentence would read in part “utility shall provide the nonresidential customer with written notice of pending disconnection, which could be US mail or electronic mail, when either”

4901:1-10-17 Payment schedule and disconnection procedures for nonpayment by nonresidential customers.

To mirror the change Staff has made to update the residential disconnection rules recognizing remote disconnect and reconnect capabilities, AEP Ohio suggests the following sentence be added to the end of section (B):

“If a meter with remote reconnection capabilities is installed at the premise, no disconnections for nonpayment shall be made after three-thirty p.m. on the day preceding a day on which all services necessary for the customer to arrange and the utility company to perform reconnection are not regularly performed.”

AEP Ohio also suggests deleting the phrase “the electric utility’s office or to” in section (D)(5).

4901:1-10-19 Delinquent residential bills.

AEP Ohio suggests changes to section (D) to reflect the fact that disconnection notices include both regulated and CRES Provider charges. If disconnection notices did not include both regulated and non-regulated (CRES) charges, the customer would not pay the right amount to

avoid disconnection. Section (D) should be deleted in its entirety and the rest of this section should be renumbered.

AEP Ohio also recommends a modification to section (C) to correct a typo. The words “can not” should be combined to “cannot.”

4901:1-10-20 Fraudulent act, tampering, and theft of service.

AEP Ohio suggests changes to section (B)(2) to reflect operational changes with respect to remote disconnection such that a tag may not be physically placed on a meter that has been disconnected. Therefore, AEP Ohio suggests the following changes to this section:

(2) Each electric utility that has disconnected service under this paragraph, in accordance with its policy, may ~~shall tag, or seal, lock, or remove~~ the customer's meter and ~~hand~~-deliver a written notice to the customer or consumer at the service location. ~~If no adult customer or consumer is present, each electric utility shall attach written notice to a conspicuous place on the premises. When an electric utility reasonably believes that tagging or sealing the meter, hand delivering a notice, or posting a notice may jeopardize employee safety, it shall promptly mail the notice, return receipt requested, to the customer or occupant.~~ The notice shall clearly display each of the following items:

AEP Ohio supports Staff’s proposed changes to section (C)(1). The Company further recommends changes to section (C)(2)(d)(i) that require the customer to contest the findings of a fraudulent act within five days of the utility mailing the required notice. The utility does not know when the customer physically receives the notice. Therefore, the timing should be driven by the mailing date of the notice, not the receipt of the notice by the customer. Specifically, AEP Ohio suggests changing the word “three” to the word “five” and the word “receiving” should be replaced with “ the electric utility mails” such that the phrase would read, “The customer does not contact the electric utility representative to contest the findings of the fraudulent act, within five business days after the electric utility mails this notice.”

Along those lines, sections (3), (3)(a) and (b) should be modified as follows:

- (3) An electric utility may terminate service for a fraudulent act no sooner than five business days after mailing the written notice in the following circumstances:
- (a) ~~No sooner than three business days after delivery of the written notice required by this paragraph, if~~ the customer does not contact the electric utility at the telephone number provided, or -
- (b) ~~No sooner than two business days after the customer received the electric utility's written~~ If after an adverse decision subsequent to the discussion between the customer and the electric utility representative, in the event that the customer initiated the discussion.

4901:1-10-21 Customer complaints and complaint-handling procedures.

AEP Ohio suggests that, under Ohio Adm. Code 4901:1-10-21 (C), the utility should have five business days to provide an initial status report after receipt of a complaint. This change is consistent with section (D), which requires a status report every five days. Specifically, AEP Ohio recommends the word “three” should be replaced with “five” in section (C).

With respect to slamming complaints, AEP Ohio believes the CRES provider rather than the EDU should be the PUCO Staff contact for resolving the complaint.

Therefore AEP Ohio suggests the following edits to sections (H)(3) and (4).

(3) If a customer initiates a slamming complaint with the staff within thirty calendar days after being issued a bill from the alleged slammer, the Staff will contact the CRES provider to mark the generation charges as in dispute and CRES provider will not charge any further charges until the Staff resolves the slamming complaint. The CRES provider will respond to any slamming complaint within 3 business days.~~customer shall not be required to pay the current charges assessed by the alleged slammer until the staff determines that the change in the customer's electric service provider was authorized.~~

(4) If the staff determines that a customer's service was switched without the customer's authorization, the staff shall notify the CRES Provider ~~electric utility~~ of such determination. After such notification, and if the CRES Provider ~~electric utility~~ is not at fault, the CRES Provider ~~electric utility~~ may then charge the customer for their services.~~seek reimbursement from the CRES provider that improperly initiated the switch for any incremental costs incurred by the electric utility to correct the unauthorized switch~~

~~including any switching fees. The electric utility shall provide the CRES provider an itemized list of any such incremental costs.~~

4901:1-10-22 Electric utility customer billing and payments.

AEP Ohio identified that the language in Section (B)(5) regarding customer complaints, who to call and phone numbers that is to be on the back of the bill is slightly inconsistent with 4901:1-18-06(A)(5)(d) which contains similar language but for disconnection notices. To reduce confusion and minimize difference between the two sections the language in 18-06(A)(5)(d) should just be referenced here. Specifically, AEP Ohio suggests Section (B)(5) should be modified as follows:

(5) Information about how to resolve a complaint consistent with OAC 4901:1-18-06(A)(5)(d). ~~The following text:~~

~~"If your complaint is not resolved after you have called your electric utility, or for general utility information, residential and business customers may contact the public utilities commission of Ohio (PUCO) for assistance at 1-800-686-7826 (toll free) from eight a.m. to five p.m. weekdays, or at <http://www.puco.ohio.gov>. Hearing or speech impaired customers may contact the PUCO via 7-1-1 (Ohio relay service)."~~

~~The Ohio consumers' counsel (OCC) represents utility customers in matters before the PUCO. The OCC can be contacted at 1-877-742-5622 (toll free) from eight a.m. to five p.m. weekdays, or at <http://www.pickoee.org>."~~

To be consistent with the disconnection rules for residential customers (OAC 4901:1-18-06(A) and for non-residential customers (OAC 4901:1-10-17(A)), and since this section 4901:1-10-22 applies to both residential and non-residential billing, section (B)(10) should be revised as follows:

~~"(10) The due date for payment. The due date for residential bills shall not be less than fourteen days~~ for residential bills, twenty-one days for non-residential bills, ~~from the date of postmark. For residential bills being issued from outside the state of Ohio the due date shall be no less than~~

~~twenty-one days.”~~

AEP Ohio currently has non-commodity charges on its bills and would like to continue to bill for non-commodity services on its bills. The Company is not aware of any concerns with continuing to bill non-commodity charges. Therefore the Company suggests the Staff’s edits to (B)(16) and (K) be rejected. However there is a typo in the word “tarrified” currently in section (B)(16), it should be changed to “tariffed”. If Staff edits are accepted and non-commodity charges are no longer permitted on EDU bills, AEP Ohio suggests that programs that existed before the rule change should be grandfathered and allowed to continue on bills.

AEP Ohio suggests that customer should be requesting the price-to-compare explanation from the PUCO. Therefore section (B)(24) should be modified as follows:

(24) The price-to-compare notice on residential bills and a notice that ~~such~~ customers can obtain a written explanation of the price-to-compare from the PUCO ~~their electric utility~~.

AEP Ohio also suggests that all CRES charges should be readily comparable to the price-to-compare. Therefore AEP suggests adding a new section (25) which would read as follows:

(25) All CRES provider charges shall be itemized on the bill with explanation for each item. CRES charges shall be totaled, summarized in one price per kWh presentation such that the customer can readily compare the competitive service costs with the price-to-compare. The only fees which should be excluded from this one price CRES charges presentation are fees associated with a separate product or service.

~~(2526)~~ Other information required by Ohio law or commission rule or order.

AEP Ohio is supportive of Staff’s changes relating to pre-paid service. The Company has a few additional suggestions to Staff’s proposed edits to address disconnect notice requirements and other customers that may not be eligible for pre-paid service.

(C) Prepaid service

(1) Timing and options for account balance electronic notifications shall be disclosed and affirmatively agreed to by the customer prior to the start of prepaid service.

(2) The customer must have and AMI Meter with remote disconnect/reconnect capabilities to participate in a prepaid service.

(3) The customer must be given at least 24 hours electronic notice to the agreed option under (F) (1) prior to disconnect for a zero or negative balance. Rules in Chapter 4901:1-18 of the administrative code that requires mailed, personal contact or disconnect notification greater than 24 hours in advance do not apply to prepaid service.

(4) Disconnects for zero or negative balance can only occur during normal business hours.

(25) The monthly prepaid service account statement shall be consistent with requirements indicated in (C), (D), and (E) of this rule.

(36) The customer shall have the ability to request a current balance including usage and payments at any time.

(47) Customers who affirmatively agree to prepaid service shall not be subject to the requirements of 4901:1-17-03 of the Administrative Code.

(58) Customers that meet any of the following conditions are not eligible for prepaid service:

(a) A customer who has been identified as a “Critical customer” in accordance with 4901:1-10- 01 (H) ~~shall not be eligible for prepaid service.~~

(b) A customer that has a medical certificate under OAC section 4901:1-18-06(C).

(c) Customers enrolled in PIPP.

(d) A customer who select a Third Party or Guarantor under OAC section 4901:1-18-06(A)(3).

(d) A customer that is on a demand-based tariff or that is taking service under a net metering tariff.

(e) A customer who is being billed under supplier consolidated billing or EDU consolidated bill ready billing.

AEP Ohio suggests changes to section (E) to recognize the implementation of AMI meters and that if the customer pays prior to the time period for remote disconnect they should

not be disconnected. Specifically, AEP proposes this section be modified as follows:

- (E) When a customer pays a bill ~~at the electric utility's business office or~~ to an authorized agent of the company, that payment, including any partial payment, shall be ~~immediately~~ credited to the customer's account as soon as practicable, where feasible, and in any event be credited to the customer's account as of the date received. ~~at the business office or by the agent.~~ No electric utility shall disconnect service to a customer who pays, to the electric utility or an authorized agent of the electric utility, the total amount due on the account (or an amount agreed upon between the electric utility and the customer to prevent disconnection), by the open ~~close~~ of business on the date of ~~disconnection date~~ listed on the disconnection notice. Payment received by an authorized agent of the electric utility shall constitute receipt of payment by the electric utility.

AEP Ohio suggests that section (H) should simply reference the payment posting priorities in Section 4901:1-10-33(H) to avoid any discrepancies between the two sections. The payment posting priority should be the same whether the bill is consolidated or not, and whether a consolidated bill is issued by the EDU or the CRES.

- (H) Each electric utility shall credit any customer's partial payments in accordance with payment posting priorities contained in Section 4901:1-10-33 (H). ~~the following order:~~

- ~~(1) Past due distribution, standard offer generation, and transmission charges.~~
- ~~(2) Current distribution, standard offer generation, and transmission charges.~~
- ~~(3) Other past due and current non-regulated charges.~~

~~Budget billing payments and payments in full of the undisputed amount related to a bona fide dispute do not constitute partial payments. Payments made on accounts for which there is a bona fide dispute shall be credited to the undisputed portion of the account.~~

4901:1-10-24 Customer safeguards and information.

AEP Ohio suggests deleting section (B) as it is outdated and the utility may or may not know all of the local telephone providers operating in its service territory.

~~(B) Each electric utility shall maintain a listing in each local telephone service provider's directory operating in the electric utility's certified territory.~~

AEP Ohio suggests adding to Section (E) that the EDU should not be permitted to disclose whether or not a customer is already participating in electric choice. Therefore section (E)(1)(d) should be added to this section:

(d) Participation in a CRES program

AEP Ohio suggests that if a customer is on a time of use rate, disclosing a customer's hourly usage may be necessary for CRES billing purposes. Therefore section (E)(3) should be modified as follows:

(3) An electric utility shall not disclose residential customer energy usage data that is more granular than the monthly historical consumption data, provided on the customer pre-enrollment list pursuant to paragraph (E) of rule 4901:1-10-29 of the Administrative Code, without the customer's consent, as required for billing purposes, or a court or commission directive ordering disclosure.

AEP Ohio suggests it is no longer necessary for the EDU to develop, update, and maintain a list of suppliers, and therefore section (G) should be deleted. The PUCO has developed its apples to apples comparisons that lists the offers from suppliers in the EDU service territory. If a customer requested a list of suppliers, AEP Ohio would simply refer the customer to the apples to apples comparison on the PUCO website.

~~(G) Each electric utility shall develop, update, and maintain a list of certified CRES providers that are actively seeking residential customers within the electric utility's service territory. Where CRES providers are actively seeking residential customers, the electric utility shall disclose such lists on the electric utility's website, in an unbiased manner, and shall provide such lists to any customer upon request.~~

AEP Ohio applauds the Staff's suggestion that customers should be able to place a block

on their account. We have some customers who do not understand the customer choice process and end up switching suppliers sometimes as often as monthly. Providing a block on the account provides much needed customer protections. However for clarity, AEP Ohio suggests the following edits to Staff's proposed language in the new section (H):

- (H) Each electric utility shall allow any customer to request a competitive retail electric service provider block be placed on their account. The block shall prevent the customer's generation service provider from being switched, either to a CRES or to SSO, without the customer's authorization to the electric utility in the form of a customer provided code or other customer identifiable manner. The release shall be provided to the electric utility from the customer or other authorized persons on the account. The code shall be considered confidential customer information and shall remain until the customer or authorized person on the account removes the block.

4901:1-10-26 Annual system improvement plan report.

Subsection (B)(1) requires that the transmission owner list a plan with various timing details and variations from previous plans. This requirement places the transmission owner in a difficult position between the transparent process of FERC/PJM and Ohio Adm. Code 4901:1-10. Under the PJM process, the transmission owner is prohibited from making plans firm until they are vetted and have received input from PJM stakeholders. This limits the information that can be included in the plan described in subsection (B)(1) to only those items that have been adopted via the processes defined by PJM. Because of this process, AEP Ohio suggests the following modification to (B)(1):

- (1) A plan for investment in and improvements to the electric utility's or transmission owner's transmission and distribution facilities/equipment that will ensure high quality, safe, and reliable delivery of energy to customers and will provide the delivery reliability needed for fair and open competition. Each plan shall also contain the estimated cost of implementation and any changes to the plan from the previous annual report. Subject to FERC rulings and RTO processes, ~~e~~Each plan shall:

Subsection (B)(2) requires the transmission owner to report deviations to plans previously

reported pursuant to subsection (B)(1). Once a project plan has been adopted through the PJM process, it may immediately become part of the very near term plan for transmission owner work. In between work cycles, this can make it appear that the transmission owner significantly deviated from reported (B)(1) plans by working on projects that were not previously reported. To recognize the limitations imposed by FERC/RTO rules, AEP Ohio suggests the following modification to subsection (B)(2):

- (2) A report of the electric utility's or transmission owner's implementation of the plan that it filed pursuant to paragraph (B)(1) of this rule for the previous annual reporting period, including an identification of significant deviations from the goals of the previous plan and the reasons for the deviations (including those directly resulting from limitations imposed by FERC rulings and/or RTO processes).

4901:1-10-27 Inspection, maintenance, repair, and replacement of transmission and distribution facilities (circuits and equipment).

To eliminate possible confusion, AEP Ohio suggests that Staff proposed changes be rejected and subsection (D)(1) remain unchanged:

- (1) Distribution - all distribution circuits and equipment, ~~including above ground facilities associated with the operation of underground circuits,~~ shall be inspected at least once every five years.

To eliminate confusion and to ensure language is consistent and the mitigation of deficiencies is not unduly burdensome or expensive, AEP Ohio suggests the following modifications to subsection section (E)(4):

- (4) Each electric utility and transmission owner shall maintain records sufficient to demonstrate compliance with its transmission and distribution facilities inspection, maintenance, repair, and replacement programs as required by this rule. Each electric utility and transmission owner shall record all deficiencies revealed by inspections or tests and all actions taken to correct those deficiencies. Lines and equipment with recorded defects that could reasonably be expected to endanger life or property shall be promptly repaired, disconnected, or isolated. All remaining deficiencies that pose a threat to reliability shall be corrected by the end of the calendar year following ~~the~~

~~completion of year~~ the inspection or testing that originally revealed such deficiencies was completed. The electric utility shall document all deficiencies that are not corrected within the designated time, including the reason for not taking corrective action.

4901:1-10-29 Coordination with competitive retail electric service (CRES) providers.

AEP Ohio agrees with Staff's changes in this section and found a few more references to the department of development that should be removed and replaced. Further, since the Ohio Development Services Agency (ODSA) has already developed a program to operate the low-income customer assistance program, the first phrase of section (I)(4) should be deleted. AEP Ohio also suggests a change to reflect the fact that, where the utility is not billing on behalf of the CRES Provider, the utility would not be able to transfer pre-PIPP arrearages to ODSA on behalf of the CRES provider. Therefore, AEP Ohio recommends sections (4) – (6) should be modified as follows:

(4) ~~Until the Ohio department of development has in place a mechanism for the administration and operation of the low income customer assistance programs,~~ Customers who have switched to a CRES provider and subsequently become approved for PIPP shall be dropped by the electric utility to PIPP standard offer service at the next regularly scheduled meter read date after the electric utility receives notice of the customer's participation in PIPP. The electric utility shall notify the affected CRES provider within ten business days of the customer's transfer to a new electric service provider to participate in PIPP. Any switching fees shall be added to the customer's arrearages, not current charges.

(5) When the host electric utility is not purchasing the receivables of the affected CRES provider, the electric utility shall submit to ~~ODSA Ohio department of development~~, on behalf of the affected CRES provider(s), the pre-PIPP arrearages of customers transferred to the PIPP program if the electric utility was billing on behalf of the CRES provider.

(6) The host electric utility shall transfer the pre-PIPP arrearages received from the ~~ODSA Ohio department of development~~, on behalf of the affected CRES provider, to the appropriate CRES provider within ten business days after receipt from the Ohio department of development.

4901:1-10-32 Cooperation with certified governmental aggregators.

AEP Ohio has just two suggestions relating to coordination with governmental aggregation. First, AEP Ohio suggests that the governmental aggregation list should be updated periodically, or at least quarterly. Therefore, at the end of section (A)(1), the Company suggests adding the words “Such list shall be updated quarterly.”

Second, government aggregations have special supplier codes within AEP’s computer systems, and, presumably, all utilities are similarly situated. In other words, supplier XYZ might be serving retail customers directly on our system and might also be a supplier of an aggregation group. Therefore, they would have a supplier code of XYZRET for the retail load, and a second supplier code of XYZAGG for the aggregation. It helps the utility and the supplier readily identify which customers and load are in the government aggregation. AEP Ohio suggests adding a new section (D) that would read as follows:

“(D) Each CRES Provider that serves a government aggregation shall identify its customers using a government aggregation code as provided by the utility at the time of the EDU enrollment and/or change request.”

4901:1-10-33 Consolidated billing requirements.

AEP Ohio has several suggestions relating to consolidated billing requirements. Most of these suggestions relate to the fact that the EDU or the CRES provider might be sending the consolidated bill. We believe the same consolidated billing requirements should apply regardless of who the billing entity is. Specifically, section (A) should be modified by deleting “electric utility that issues a” and replacing it with the word “any”.

Section (B) should be modified as follows:

“(B) A supplier agreement between an electric utility and a CRES provider must provide that if the billing party ~~electric utility~~ collects customer payments on behalf of the non-billing party ~~CRES provider~~, the

customer's liability to the non-billing party ~~CRES provider~~ ceases to the extent of a payment made and applicable to the customer's ~~CRES provider~~ account.”

To be consistent with the disconnection rules, section (C)(13) should be modified as follows:

“(13) Due date for payment to keep the account current. The due date shall not be less than fourteen days for residential bills, and twenty-one days for non-residential bills, from the date of postmark. ~~For residential bills being issued from outside the state of Ohio the due date shall be no less than twenty-one days.~~”

The wording of the complaint notice was slightly different from the complaint notice that is referenced in Ohio Adm. Code 4901:1-18-06. Therefore we suggest section (C)(15) should be modified as follows:

“(15) The following A notice relating to where the customer can call if they have a question or complaint. Such notice shall be consistent with 4901:1-18-06 (A)(5)(d).

~~“If your complaint is not resolved after you have called your electric supplier and/or your electric utility, or for general utility information, residential and business customers may contact the public utilities commission of Ohio (PUCO) for assistance at 1-800-686-7826 (toll free) from eight a.m. to five p.m. weekdays, or at <http://www.puco.ohio.gov>. Hearing or speech impaired customers may contact the PUCO via 7-1-1 (Ohio relay service).~~

~~The Ohio consumers' counsel (OCC) represents residential utility customers in matters before the PUCO. The OCC can be contacted at 1-877-742-5622 (toll free) from eight a.m. to five p.m. weekdays, or at <http://www.pickoec.org>.”~~

AEP Ohio makes the following suggestions to reduce customer confusion, to make it easier for customers to compare their competitive retail price to the price to compare, and for the Commission to help answer customer questions about competitive offers. As such, sections

(C)(17) & (18), (E)(2), and (E)(5) should be modified as follows:

(17) At a minimum, definitions for the following terms, or like terms such as used by the company if applicable: customer charge, delivery charge, estimated reading, generation charge, kilowatt hour (kWh), termination fee, exit fee, fixed rate, variable rate, and late payment charge. Provide an explanation for any miscellaneous or other fees contained on the bill.

(18) The price-to-compare for residential bills and a notice that ~~such~~ customers can obtain a written explanation of the price-to-compare from the PUCO ~~their electric utility~~.

(E)(2) To the extent applicable, itemization for each charge including, for fixed-price offers, the unit price per kWh for competitive service which is to be displayed in the same numeric format as the price to compare format and for all other offers for electric generation service, an explanation of how the rate is derived, as well as any other information the customer would need to recalculate the bill for accuracy. The unit price per kWh for competitive service shall include all costs associated with providing the customer complete service including any fixed charges, administrative fees (billing, mailing, etc.), service fees, and all additional fees passed along associated with the generation or transmission of service. The only fees which are to be excluded from this cost are those involved with a separate product or service.

(5) The non-billing party shall provide a bill message explaining any change in rates, terms, or conditions appearing on the first two consecutive bills following the occurrence of any such changes and a clear explanation of each change.

AEP Ohio is supportive of Staff's changes relating to pre-paid service, however placing the same language in both section 10-22 and 10-33 leaves room for inconsistency between the two sections. The Company suggests section 10-33 should just reference the requirements for prepaid service that are in section 10-22. Therefore the Company suggests the following edits to the Staff's proposed prepaid provisions of section 10-33:

(F) Prepaid service as provided for in OAC 4901:1-10-22 (C) is limited to EDU consolidated rate ready billing.

~~(1)Timing and options for account balance~~ electronic notifications shall be

~~disclosed and affirmatively agreed to by the customer prior to the start of prepaid service.~~

~~(2) The monthly prepaid service account statement shall be consistent with requirements indicated in (C), (D), and (E) of this rule.~~

~~(3) The customer shall have the ability to request a current balance including usage and payments at any time.~~

~~(4) Customers who affirmatively agree to prepaid service shall not be subject to the requirements of 4901:1-17-03 of the Administrative Code.~~

~~(5) A customer who has been identified as a "Critical customer" in accordance with 4901:1-10-01 (H) shall not be eligible for prepaid service.~~

Additional changes to section (G) and (H) could be made to account for fact that the EDU or the CRES provider might be sending the consolidated bill.

(G) Consolidated bill format. Any new consolidated bill format ~~proposed by an electric utility~~ shall be filed with the commission for approval. If an application for a consolidated bill format is not acted upon by the commission within forty-five calendar days after it is filed, the consolidated bill format shall be deemed approved on the forty-sixth day after filing.

(H) Transfer of customer billing information.

(1) The non-billing party ~~CRES provider~~ shall furnish the applicable required bill content information to the billing party in a timely manner and in a mutually agreed upon electronic format for inclusion in the consolidated customer bill.

(2) The billing party ~~electric utility~~ shall include in the consolidated bill all required bill content information furnished by the non-billing party ~~CRES provider~~.

(3) An entity ordered by the commission to provide any bill content, message, insert, or notice remains responsible to provide such information to its customers, the billing party shall try to accommodate such items ~~although the information may be provided through the consolidated bill.~~

Further, AEP Ohio suggests additional changes that could be made to the partial payment

priority section to recognize that CRES provider charges are shown on a disconnection notice and are therefore due and payable. The additional changes to section (I) outlined below reflect more detailed line items.

(1) A customer's partial payment shall be credited in the following order:

(a) Any EDU and CRES charges presented on a disconnection notice

(b) Past due CRES charges included in a payment arrangement

(c) Past due EDU charges included in a payment arrangement

~~(ad) Billed and past due CRES provider charges, or, if applicable, CRES Provider payment arrangements or past due CRES provider budget billing.~~

~~(be) Billed and past due EDU electric distribution utility, standard offer generation, and transmission charges or, if applicable, electric utility payment arrangement or past due electric utility budget billing.~~

~~(ef) Billed and due current electric utility distribution and transmission charges, miscellaneous charges, or current electric utility budget billing.~~

~~(dg) Billed and due current CRES provider charges or current CRES provider budget billing.~~

~~(e) Other past due and current non-regulated charges, excluding CRES charges.~~

(2) Exceptions to the partial payment priority.

(a) The PUCO may designate payment posting priorities different from that above for a bona fide dispute, but only on an after-the-fact basis. The PUCO Staff will notify the billing party and will designate how payments will be posted after the bona fide dispute is resolved. Payments in full of the undisputed amount related to a bona fide dispute do not constitute partial payments. Payments made on accounts for which there is a bona fide dispute shall be credited to the undisputed portion of the account.

AEP Ohio recommends that Staff's proposed section (L) be rejected for a number of reasons. First, it is not clear why the change was proposed. Second, the added language prohibits third parties' non-commodity charges from being placed on the EDU consolidated bill,

which does not reflect current practices. Finally, AEP Ohio currently bills for third party charges and would prefer to continue this practice.

AEP Ohio also recommends the following change to section (K)(6) to simplify the rules and to provide clarity:

(6) Any payment made online shall be ~~treated as a payment made at the electric utility's business office and shall be~~ posted to the customer's account in accordance with paragraph (E) of rule 4901:1-10-22 of the Administrative Code. The time needed to post the payment to the customer's account shall be clearly stated.

4901:1-10-34 Compliance with PURPA

There is an extraneous “(1)” in section (M) of this section. AEP Ohio recommends deleting the second “(1)”.

4901:1-10-35 Disclosures of renewable energy resource, energy efficiency, and peak demand reduction compliance costs.

AEP Ohio believes this section mirrors language in the ORC 4928.65. However, if there is an opportunity for the Commission to modify this language, it should reflect that a bill might be sent from an EDU or a CRES Provider, and any bills sent by a CRES Provider should include costs associated with its own compliance with the renewable targets that are found in ORC 4928.64.

Respectfully submitted,

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