***OCC EXHIBIT_______***

**BEFORE**
**THE PUBLIC UTILITIES COMMISSION OF OHIO**

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| In the Matter of the Motion to Modify the | ) | |
| Exemption Granted to the East Ohio Gas | ) | Case No. 18-1419-GA-EXM |
| Company d/b/a Dominion Energy Ohio. | ) | |

# DIRECT TESTIMONY
# OF
# KERRY J. ADKINS

**On Behalf of**
**The Office of the Ohio Consumers' Counsel**
*65 East State Street, 7th Floor*
*Columbus, Ohio 43215*

**November 15, 2019**

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## ATTACHMENTS

## I. INTRODUCTION

***Q1. PLEASE STATE YOUR NAME, BUSINESS ADDRESS, AND POSITION.***

***A1.*** My name is Kerry J. Adkins. My business address is 65 East State Street, 7th Floor, Columbus, Ohio 43215. I am employed by the Office of the Ohio Consumers' Counsel ("OCC") as a Senior Regulatory Analyst.

***Q2. PLEASE SUMMARIZE YOUR EDUCATION AND PROFESSIONAL EXPERIENCE.***

***A2.*** I earned a Bachelor of Arts degree in History with a pre-law option from Ohio Northern University in 1983. In 1988, I earned a Master of Public Administration degree with specializations in Regulatory Policy and Fiscal Administration from The Ohio State University. In addition, I have attended various utility regulatory seminars and training programs sponsored by the Public Utilities Commission of Ohio ("PUCO") and OCC.

My professional experience in the utility regulation field began when I was hired by the PUCO in August 1989 as a Researcher II in the Nuclear Division of what was then the Consumer Services Department. In that capacity, I monitored the financial and operating performance of utility-owned and operated nuclear power plants and made policy and recommendations regarding nuclear power issues in rate proceedings. In addition, I served as staff to the Utility Radiological Safety Board of Ohio ("URSB") and liaison to the URSB's Citizens Advisory Council.

Around 1995, my career transitioned towards deregulation and the development of competitive options for formerly utility-supplied services. I was a PUCO Staff representative to various committees and working groups that oversaw the development of customer choice ("Choice") pilot programs, and I analyzed and made recommendations concerning the pilot programs as they progressed. Later, as the pilot programs matured into legislatively-sponsored restructuring programs, I worked with the General Assembly's Legislative Service Commission on draft bill language concerning the consumer protection provisions in Senate Bill 3, which restructured the electric industry in Ohio, and Amended House Bill 9, which restructured the natural gas industry.

After the restructuring laws were enacted, I managed PUCO Staff teams that were responsible for drafting and enforcing the PUCO's rules governing certification of competitive energy suppliers and the competitive suppliers' interactions with Ohio consumers. In 2008, I transferred to what was then the PUCO's Utilities Department (now the Rates and Analysis Department) where I supervised Staff teams responsible for analyzing and making recommendations regarding utility rate filings, primarily related to the natural gas industry. I retired from the PUCO in September 2018. I began my current employment at OCC in November 2018. At OCC, I review and analyze utility filings at the PUCO and other regulatory agencies and make recommendations to protect the interests of residential customers.

***Q3. HAVE YOU PREVIOUSLY SUBMITTED TESTIMONY OR TESTIFIED BEFORE THE PUBLIC UTILITIES COMMISSION OF OHIO?***

***A3.*** Yes. The cases in which I have submitted testimony or have testified before the PUCO can be found in Exhibit KJA-01.

## II. PURPOSE/BACKGROUND

***Q4. WHAT IS THE PURPOSE OF YOUR TESTIMONY?***

***A4.*** For the protection of the approximately 1.1 million residential natural gas consumers in the natural gas service area of the East Ohio Gas Company d/b/a Dominion Energy Ohio's ("Dominion" or "Utility"), OCC is proposing that the PUCO eliminate the Monthly Variable Rate Program ("MVR" or "Program") for residential consumers in Dominion's service area. This case was initiated as a result of motions that OCC filed to protect residential consumers by ending the Program. The Program has exposed residential consumers to considerable harm as a result of price gouging by unscrupulous natural gas marketers participating in the program. In addition, the Monthly Variable Rate Program provides no public benefit, has not achieved the PUCO's objectives in creating the Program, and it is counter to the public interest and the State's policies for promoting customer choice and reasonably priced natural gas goods and services.

***Q5. CAN YOU PROVIDE A BRIEF BACKGROUND FOR THE MVR PROGRAM AND THE CASES THAT LED TO THIS PROCEEDING?***

***A5.*** On May 26, 2006, the PUCO issued an order approving phase one of Dominion's plan to exit the "merchant function" (which means Dominion would no longer sell natural gas to consumers).[1] The PUCO approved phase one as a "pilot program" and specifically reserved the right to terminate the pilot.[2]

On June 18, 2008, the PUCO approved Dominion's request to implement phase two of its plan to exit the merchant function with modifications.[3] Phase two of Dominion's plan, which the PUCO said was also a pilot program,[4] eliminated the standard choice offer ("SCO") to choice-eligible, non-residential customers.

In 2013, per R.C. 4929.08, the PUCO modified the 2008 Order. The PUCO also adopted, with modifications, a settlement that continued phase two of Dominion's plan, including the assignment of choice-eligible residential customers to the Monthly Variable Rate Program.[5] Also in the settlement, the intervening parties

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[1] *In the Matter of the Application of The East Ohio Gas Company dba Dominion East Ohio for Approval of a Plan to Restructure Its Commodity Service Function*, Case No. 05-474-GA-ATA, Opinion and Order (May 26, 2006).

[2] *Id*. at 27.

[3] *See In the Matter of the Application of the East Ohio Gas Company d/b/a Dominion East Ohio for Approval of a General Exemption of Certain Natural Gas Commodity Sales Services or Ancillary Services*, Case No. 07-1224-GA-EXM, Opinion and Order at 3 (June 18, 2008) ("2008 Order").

[4] *Id*. at 6.

[5] *In the Matter of the Application to Modify, in Accordance with Section 4929.08, Revised Code, the Exemption Granted to The East Ohio Gas Company d/b/a Dominion East Ohio* in Case No. 07-1224-GA-EXM, Case No. 12-1842-GA-EXM ("2013 Case"), Opinion and Order (January 9, 2013) ("2013 Order") at 16-17.

agreed that neither Dominion nor any other party would request approval for Dominion to exit the merchant function for residential customers before April 1, 2015.[6]

***Q6. CAN YOU PROVIDE A BRIEF OVERVIEW OF HOW THE MVR WORKS?***

***A6.*** Yes. Residential customers whose marketer contract or opt-out governmental aggregation contract has expired may enroll with a new marketer, may enroll with an aggregation program, or may choose the Standard Choice Offer. If the residential customer does not choose one of the three options, the customer is randomly assigned to a marketer under the marketer's then-applicable Program rate after two billing cycles on the Standard Choice Offer. The customer does not choose the marketer or the rate. The customer might not realize that his or her service has been switched to another marketer for several months. The Program rate a customer is assigned to can be significantly higher than the Standard Choice Offer rate. For instance, recently there were 14 of 21 marketer Program rates that were at least 50% above the Standard Choice Offer rate, and a couple of marketer Program rates that were more than three times the Standard Choice Offer Rate.[7]

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[6] 2013 Case, Joint Motion to Modify Order Granting Exemption at 2 (June 15, 2012) at 3-4 (the Consumers' Counsel reserved its right to challenge any request or application filed with the PUCO for a Dominion exit of the merchant function for residential customers).

[7] *See* OCC Comments (October 11, 2019) at Attachment 1.

## III. ANALYSIS AND RECOMMENDATIONS

***Q7. WHAT DO YOU RECOMMEND REGARDING THE PROGRAM AS IT RELATES TO RESIDENTIAL CONSUMERS IN DOMINION'S NATURAL GAS SERVICE AREA?***

***A7.*** Consistent with OCC's positions taken in its August 15, 2019 motion and in its initial and reply comments filed in this case, I recommend that the PUCO eliminate the Monthly Variable Rate Program for residential consumers in Dominion's service area. The SCO should be the default option for all residential customers, including consumers who have not made a choice, consumers who return to default service because their supplier defaulted, <u>and</u> consumers who were previously with a supplier or governmental aggregation and either did not renew their supply contract or affirmatively choose the SCO (i.e., those residential consumers are currently subjected to the MVR).

***Q8. WHY SHOULD THE PROGRAM BE ELIMINATED AS AN OPTION FOR RESIDENTIAL CONSUMERS IN DOMINION'S SERVICE AREA?***

***A8.*** There are several reasons why the Program should be eliminated for residential consumers in Dominion's service area.

First, and foremost, the Program has permitted gas marketers to charge residential consumers rates for natural gas supply that amount to price gouging.[8] The PUCO

[8] *See* PUCO Staff Comments (October 11, 2019) at 6-8; OCC Comments at 5-6.

Staff pointed out that the Program causes customer confusion and called the rates charged "unconscionable."[9] In addition, even reputable marketers tend to charge consumers rates that are higher than comparable SCO rates, more often than not at least 50% more.[10]

Second, the Program provides no public benefit. And it is counter to the public interest because it results in penalizing unwary consumers who almost always end up paying more for natural gas supply service from a supplier that they did not choose. Consumers end up on the Program for no sound reason. Because they did not make an affirmative choice for gas supply through a marketer or the SCO at the end of their marketer or governmental aggregation supply contract. Residential consumers have many priorities for their time, including family matters and work, that rise above trying to surmount the steep challenge of understanding and continually monitoring complicated natural gas pricing and contracts. They should not be penalized for not making a choice.

Third, the Program does not accomplish any of the goals that the PUCO identified when it authorized the Program's creation. When it authorized the Program, the PUCO anticipated that it would deliver effective competition with willing buyers

[9] PUCO Staff Comments at 11.

[10] *See* PUCO Staff Comments at 7; OCC Comments at 6.

and sellers, encourage innovation in natural gas supply, and consumers would be protected by the market.[11] None of these goals have been achieved.

And fourth, the Program is counter to several of the State's statutory policies related to natural gas goods and services, including promoting customer choice and reasonably priced natural gas goods and services.

***Q9. HOW HAVE UNSCRUPULOUS MARKETERS RIPPED OFF RESIDENTIAL CONSUMERS IN DOMINION'S NATURAL GAS SERVICE AREA?***

***A9.*** In the 2013 Order, the PUCO anticipated that marketers participating in the Program would charge consumers a competitive monthly rate because the marketers would avoid costs to acquire customers and would pass along the avoided costs through lower prices to consumers. However, this has proven not to be the case. I have attached as Exhibit KJA-02 the comparison marketers' Program rates versus the SCO rate for the September 13, 2019 – October 13, 2019 period that was originally included with OCC's Comments filed in this case on October 11, 2019. This comparison shows that Dominion's SCO rate was a modest $2.47 per MCF while the marketers' Program rates ranged from one equaling Dominion's rate at $2.47 per MCF to one rate set at a ridiculous $9.25 per MCF. OCC determined that a typical residential consumer using 9 MCF per

[11] 2013 Order at 14.

month would pay $61.00 per month more to the marketer with the $9.25 per MCF rate than if the consumer was on Dominion's SCO.

The PUCO Staff's October 11, 2019 Comments ("Staff Comments") in this case show similar findings. On page five of the Staff Comments, Staff provides a chart of Program rates charged by marketers compared to the SCO rate on February 14, 2019. I have reformatted Staff's data in Exhibit KJA-03 to be consistent with the data shown in Exhibit KJA-02. Staff's data shows that 5 of 20 marketers participating in the Program on February 14, 2019 had prices two to three times higher than the SCO rate.

And the trend of marketers' Program rates more than doubling the corresponding SCO rates is consistent going back at least over last three years. I have attached as Exhibit KJA-04 a comparison of marketers' Program rates to the SCO for exactly one year prior to the comparison shown in Exhibit KJA-02. A year ago, customers being assigned to a marketer under the Program only had to contend with one marketer that was charging three times the SCO rate. And they only had to contend with three marketers charging more than double the SCO rate. To avoid any distortions by looking at only one month, Exhibit KJA-05 averages the marketers' Program rates charged in January, April, July, and October for years 2016, 2017, 2018 (as reported on the PUCO's Apples-to-Apples price comparison charts) and compares the average rates to the average SCO rates for the same period. These comparisons show the same high Program rates that resulted in unlucky consumers being price gouged by the unscrupulous marketers.

***Q10. HOW DO MARKETERS' PROGRAM RATES GENERALLY COMPARE TO THE SCO?***

***A10.*** Exhibit KJA-02 also shows that, as of September 13, 2019, 14 of the 21 marketers participating in the Program had prices at least 50% more than the SCO rate. This means consumers being assigned to the Program faced a two out of three chance of paying at least 50% more than their neighbors on the SCO. The Exhibit also shows that all Program rates for the period save one were higher than the SCO rate. This means that customers had less than a 5% chance of avoiding paying more for gas supply than SCO customers. And Exhibits KJA-03 – KJA-05 show essentially the same thing. Marketers' Program rates almost always exceed the corresponding SCO rates, more often than not by more than 50%

***Q11. WHAT WERE THE PUCO'S EXPECTATIONS WHEN IT AUTHORIZED THE PROGRAM?***

***A11.*** In the 2013 Order, the PUCO identified its understanding and expectations for the benefits stemming from the changes to the Program approved in the 12-1842-GA-EXM case. The PUCO determined that:

1) Modifications to the Program should provide for "an expeditious transition to the provision of natural gas services and goods in a manner that achieves effective competition and transactions between willing buyers

and sellers to reduce or eliminate the need for regulation of natural gas services and goods."[12]

2) The Program should "encourage innovation, both in how services are provided and in the variety of available products."[13]

3) "[C]ustomers will be protected by the market" in the transition away from the Standard Choice Offer to the Program.[14]

4) The Stipulation approved in the case would "as a package, benefit ratepayers and the public interest" [15]

***Q12. HAS THE MONTHLY VARIABLE RATE PROGRAM MET THE PUCO'S STATED EXPECTATIONS?***

***A12.*** No. The Program has been, in all senses of the word, a failure. The random assignment of consumers to marketers' unregulated rates under the Program without their affirmative consent (and often without their knowledge) clearly does not support the notion of "willing buyers." And, regarding "effective competition," marketers do not have to compete to enroll customers. They only have to put their name on a list, sign an agreement with Dominion, and post a variable price on the PUCO's Apples-to-Apples price comparison chart. They do not have to win customers with effective pricing or other value-added services. And as the PUCO Staff noted in its comments, they do not incur any marketing

[12] 2013 Order at 14.

[13] *Id*. at 15.

[14] *Id*.

[15] *Id*.

and other costs (such as advertising costs) to acquire and maintain the customers[16] Additionally, the excessive Program rates charged by most of the participating marketers make it obvious that some form of regulation is still needed and that consumers have not been "protected by the market." Finally, as I discuss below, the Program does not benefit consumers or the public interest. Most egregiously, is the PUCO's expectation that these customers would somehow be protected by the competitive market. We now know no such protection for consumers exists.

***Q13. HOW DOES THE PROGRAM FAIL TO PROVIDE ANY PUBLIC BENEFIT AND HOW IS IT COUNTER TO THE PUBLIC INTEREST?***

***A13.*** The Program provides no value for consumers who are randomly assigned to marketers that they did not choose and at a rate that they didn't agree to. The Program is counter to the public interest because it serves as a punitive measure against consumers who did nothing wrong.

Under the Program, consumers nearly universally end up paying more (often two to three times more) for natural gas supply service from a supplier that they did not choose for not making an affirmative choice at the end of their marketer or governmental aggregation supply contract. It is clearly not in the public interest to punish innocent consumers for not affirmatively making a choice for natural gas supply service. Residential consumers who do not affirmatively choose a supplier at the end of their supply contract or governmental aggregation should be

[16] PUCO Staff Comments at 7-8.

protected by being placed on the competitively determined SCO until they actively choose an alternative supplier. There, consumers will receive the protection of the competitive market. And if they do not actively choose a supplier, they should remain on the SCO rate. Additionally, consumers may consciously elect to remain on the SCO in order to avoid higher marketer offers or not have to bother with attempting to track confusing natural gas price and contract offers. Moreover, local media often advises consumers to choose the SCO as their gas supply alternative.[17]

***Q14. HOW IS THE MVR PROGRAM COUNTER TO SEVERAL OF THE STATE'S STATUTORY POLICIES RELATED TO NATURAL GAS GOODS AND SERVICES?***

***A14.*** R.C. 4929.02(A) enumerates the State's policies related to natural gas goods and services. Those policies include:

1) Promote the availability to consumers of adequate, reliable, and *reasonably priced natural gas services* and goods;

2) Promote the availability of unbundled and comparable natural gas services and goods that provide wholesale and *retail consumers* with the supplier, price, terms, conditions, and quality options *they elect* to meet their respective needs;

[17] *See e.g.*, 'Betty Lin-Fisher: Updates on Natural Gas, Electricity, and Fussy Cleaners' No-Cash Policy" Akron Beacon Journal (March 8, 2019).

3) Promote diversity of natural gas supplies and suppliers, *by giving consumers effective choices over the selection of those supplies and suppliers*;

4) Encourage innovation and market access for *cost-effective* supply- and demand-side natural gas services and goods;…

5) Promote an expeditious transition to the provision of natural gas services and goods *in a manner that achieves effective competition and transactions between willing buyers and willing sellers* to reduce or eliminate the need for regulation of natural gas services and goods under Chapters 4905. and 4909. of the Revised Code;..." (Emphasis added.)

The random assignment of customers to the Program does not give consumers effective choices over the selection of their natural gas supplier. Similarly, consumers also do not get to elect the supplier, price, terms, and conditions to meet their needs. Also, because the rates of most marketers in the Program are consistently and frequently significantly higher than the corresponding SCO rates, the Program does not promote reasonably priced or cost-effective natural gas for consumers. In addition, the random assignment of customers to suppliers that they did not choose at high prices they did not agree to is not effective competition with willing buyers. And, as I mentioned earlier, the Program is not a competitive program – marketers do not need to compete for customers.

For all these reasons, the Program for residential customers is contrary to several of the State's enumerated policies related to natural gas goods and services.

***Q15. IN ITS INITIAL COMMENTS, WHAT DID THE PUCO STAFF RECOMMEND REGARDING THE MONTHLY VARIABLE RATE PROGRAM?***

***A15.*** In its Comments, the PUCO Staff agrees with OCC that the Program should be eliminated for residential consumers and that the SCO should be the default rate for all residential consumers in Dominion's service area.[18] The PUCO Staff also recommends that the Program should be eliminated for nonresidential consumers and that the SCO should be the default rate for those customers as well.[19]

The PUCO Staff states that it has collected information to assist the PUCO in assessing the current state and future direction of natural gas competition in the state, including the Program.[20] The information includes data related to Dominion's exit from the merchant function as authorized in the PUCO's 2013 Order as well as consumer contacts and complaints to the PUCO's Call Center. Based on the data that it has collected, the PUCO Staff concludes that: (1) many of the rates being charged to Program consumers are unreasonably high; (2) the Program and/or the elimination of the SCO as an option for nonresidential

[18] PUCO Staff Comments at 5.

[19] *Id.*

[20] *Id.* at 1-5.

consumers is not encouraging customers to engage in the market or fostering market development; and (3) the Program causes customer confusion.[21]

To support its conclusion regarding unreasonably high Program prices, the PUCO Staff compared the February 14, 2019 SCO against Program rates posted by marketers for the same time period.[22] The PUCO Staff also included an illustrative example of how different prices charged to consumers assigned to different Program suppliers can have a large impact on consumers' monthly gas bills.[23] The PUCO Staff further points out that the SCO is almost always lower than the posted Program rates and that the market has not had the protective effect for consumers that the PUCO intended.[24]

The PUCO Staff supported its conclusion that the Program has not encouraged market development as intended by pointing out that the number of nonresidential consumers on the Program has remained relatively flat despite six years of the Program and extensive customer education efforts.[25] And in regards to the Program causing customer confusion, PUCO Staff noted routine calls to the PUCO's Call Center where consumers expressed confusion and complaints about

[21] *Id*. at 6.
[22] *Id*. at 7.
[23] *Id*. at 6-7.
[24] *Id*. at 8.
[25] *Id*. at 9.

high bills resulting from new marketers appearing on their bills at high rates that they never agreed to.[26]

Based on its findings and conclusions, PUCO Staff recommended that the PUCO eliminate the Program for both residential and nonresidential consumers and that the SCO be the default service for all consumers.[27]

***Q16. DO YOU AGREE WITH THE PUCO STAFF'S CONCLUSIONS AND RECOMMENDATIONS?***

***A16.*** I agree with all of the PUCO Staff's conclusions and recommendations as they pertain to residential consumers.

***Q17. WHAT IS DOMINION'S POSITION ON THE MONTHLY VARIABLE RATE PROGRAM?***

***A17.*** In Reply Comments filed on October 25, 2019 ("Dominion Reply Comments"), Dominion stated that, although its positions are not finalized, it can support eliminating the Program as an option for residential consumers.[28] It also proposed modifications to the Program to add new protections for nonresidential consumers.[29]

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[26] *Id*. at 10.

[27] *Id*. at 11.

[28] Dominion Reply Comments at 1-2.

[29] *Id.* At 2-3.

Dominion maintains that the Program has largely accomplished its purpose for residential consumers. Dominion points out that only comparatively few residential customers are on the Program in any given month, but it acknowledges that these customers are at risk from the high rates charged by some marketers participating in the Program.[30] It further notes that, while it does not supply gas to consumers, the consumers participating in the Program are still its customers and that residential consumers have always enjoyed additional protections under the PUCO's rules and its tariffs.[31] Therefore, Dominion states that it can agree to eliminating the Program as an option for residential consumers in favor of the SCO being the default option for residential consumers as part of a larger agreement that retains an improved Program for nonresidential customers.[32]

For nonresidential consumers, Dominion argues that it is too soon to give up on the Program. The Utility suggests that the Program be modified to provide additional consumer protections for nonresidential consumers consistent with three criteria. These criteria include: (1) establishing fair prices that reflect the competitive natural gas market; (2) setting prices pursuant to an easily explained formula: and (3) adopting a process that Dominion can readily administer.[33]

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[30] *Id*. at 2.

[31] *Id*.

[32] *Id*.

[33] *Id*. at 2-3.

***Q18. HOW DO YOU RESPOND TO DOMINION'S POSITIONS?***

***A18.*** I agree with Dominion that the Program for residential consumers should be eliminated, and that the SCO should serve as the default service for all residential consumers in all instances.

***Q19. WHAT DO MARKETERS HAVE TO SAY ABOUT THE MONTHLY VARIABLE RATE AS IT PERTAINS TO RESIDENTIAL CONSUMERS?***

***A19.*** In comments, reply comments, and documents filed in response to OCC's motion in this case, Dominion Energy Services ("DES," Dominion Energy's competitive marketing entity in Ohio and affiliate company of Dominion, the natural gas utility), and IGS Energy ("IGS") and the Retail Energy Supply Association ("RESA") (collectively the "Marketers") generally make arguments that can be grouped into the following categories:

1) OCC's Motion was not timely filed under R.C. 4929.08(A)(2). In their opinion, the Program for residential customers was adopted by the PUCO in its 2008 Order, not the 2013 Order. Therefore, the marketers claim that the 2008 Order, not the 2013 Order, actually triggers the eight-year window for applying for a change in regulation under R.C. 4929.08(A)(2).

2) The Program should be improved to modify the pricing mechanism and include other changes to weed out unscrupulous marketers who post substantially above-market rates in conjunction with renewed customer education programs.

3) OCC's and the PUCO Staff's recommendations to eliminate the Program and make the SCO the default option for consumers is inconsistent with the State policies set forth in R.C. 4929.02(A). Specifically, the marketers point to R.C. 4929.02(A)(7). That policy concerns promoting "an expeditious transition to the provision of natural gas services and goods in a manner that achieves effective competition and transactions between willing buyers and willing sellers to reduce or eliminate the need for regulation of natural gas services or goods under Chapters 4905 and 4909 of the Revised Code."

4) The number of customers on the Program is low in comparison to Dominion's overall number of customers. (Presumably, therefore, in the marketers' view of the world, it is acceptable for only a few customers to be price gouged.)

5) Both residential and nonresidential consumers are constantly cycling on and off the Program indicating that customers are making choices as intended by the Program.

6) The majority of consumers make a choice to leave the Program within a year.

7) Marketer rates should not be compared to the SCO because Dominion's costs for educating customers and other costs are not reflected in the SCO rates and the SCO is hindering market development.

8) The Program was never intended to produce the lowest rates available to consumers.

9) OCC's positions in this case are counter to the directive in R.C. 4911.02(C) that OCC shall follow the State policy regarding natural gas goods and services set forth in R.C. 4929.

***Q20. HOW DO YOU RESPOND TO THE MARKETERS?***

***A20***. The Marketers are wrong in all of their contentions.

***Q21. HOW ARE THE MARKETERS WRONG IN THEIR CONTENTION THAT THE 2008 ORDER IS THE TRIGGER FOR DETERMINING THE APPLICABILITY OF R.C. 4929.08(A)(2)?***

***A21.*** First, the question regarding whether the 2008 Order or 2013 Order is the proper starting point for determining the eight-year window for applying R.C. 4929.08(A)(2) is a legal question that OCC will address in its brief in this case. However, based on my regulatory experience and years of enforcing PUCO rules and orders, I would point out that there is another provision in the statute that is ignored by the marketers that could apply, which would authorize the PUCO to abrogate or modify its prior Orders, regardless of whether it was issued in 2008 or 2013. See R.C. 4929.08(B). This provision does not have an eight-year limitation on the PUCO's ability to review or abrogate a gas company's exemption or alternative rate plan that does not substantially comply with the State policy that I referenced above.

Second, I would note that the PUCO in the 2013 Order indicated that allowing Dominion to exit the merchant function for nonresidential consumers (i.e., the SCO would no longer be a default option for nonresidential consumers) would enable the PUCO to study the consequences of the exit that would later be used to assess the feasibility of Dominion's exit for all customers.[34] Therefore, the PUCO directed Dominion to track and provide to Staff, OCC, RESA, and others certain pricing and market participation statistics. There would be no reason for the PUCO to require such monitoring and reporting if it did not view the changes to the Program that it approved in the 2013 Order as a test platform that could later be applied to all customer classes. In fact, the PUCO stated plainly in the 2013 Order that "[It] wishes to clarify that nothing precludes us from *reestablishing the SCO* or any other pricing mechanism, if we determine that DEO's exit is unjust or unreasonable *for any customer class*."[35] Further, the 2013 Order was the first time that the PUCO approved a date (April 1, 2015) whereby it would entertain a request for DEO to exit the merchant function for residential customers.

Third, I would point out that even if the 2008 Order was the correct starting point for applying the eight-year window for modifications as provided for under R.C. 4929.08(A)(2), the same section of the Revised Code provides that the PUCO may modify an order after eight years with the utility's consent. In this case, as described above, Dominion appears to have given its consent to modification of

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[34] 2013 Order at 17.

[35] *Id.* at 16-17 (emphasis added).

the Program as it applies to residential consumers in its Reply Comments that were filed on October 25, 2019.[36]

***Q22. HOW DO YOU RESPOND TO THE MARKETERS' ARGUMENT THAT THE PROGRAM SHOULD BE FIXED RATHER THAN DISCARDED?***

***A22.*** Regarding the Marketers' contention that the Program should be fixed rather than discarded in favor of the SCO, I would point out that even the most reputable marketers' Program rates are almost always higher than the corresponding SCO rates, often at least 50% more. As I discussed above, randomly assigning consumers to a marketer without their consent at prices that are well above other competitive options is not good public policy, is counter to the public interest, and does not comply with the State's policies for maximizing consumer choices and providing reasonably priced natural gas goods and services. As to renewed customer education efforts, as the PUCO Staff pointed out in its Comments, there has been extensive customer education efforts by the Dominion, PUCO Staff, and others, yet the Program has still failed to deliver on the PUCO's expectations when it approved the Program. Moreover, no matter how much more money is spent, it is unlikely that an education campaign can effectively reach and educate all of Dominion's 1.1 million customers on how to avoid being placed in the Program. There are simply too many consumers, and consumers have too many other priorities competing for their time. And, as described below, even if only a relatively few consumers are on the Program for only a short time, the potential

[36] Dominion Reply Comments (October 25, 2019) at 2.

for substantial financial harm to consumers is great. It is better to simply eliminate the Program for residential consumers.

***Q23. HOW DO YOU RESPOND TO THE MARKETERS' CONTENTION THAT ELIMINATING THE PROGRAM AND MAKING THE SCO THE DEFAULT OPTION FOR CONSUMERS IS INCONSISTENT WITH STATE POLICIES?***

***A23.*** I disagree. The SCO is completely consistent with policies relating to promotion of an expeditious transition to the provision of natural gas services and goods in a manner that achieves effective competition. In addition, the SCO supports transactions between willing buyers and willing sellers towards reducing or eliminating the need for regulation, certainly more so than the MVR Program. The SCO has competitive rates, whereas the Program does not. Under the SCO, marketers compete fiercely through multiple rounds of a competitive auction process in order to win retail customers. Under the Program, suppliers do not have to compete to win customers at all. They simply put their name on a list, sign an agreement with Dominion, and set a variable rate that is posted on the PUCO's Apples-to-Apples chart. They can then just sit back and wait to be assigned customers. That is not effective competition. Moreover, even if the Marketers had a valid point regarding the Program being more competitive than the SCO (which they do not), their argument conveniently ignores the other State policies specified in the Revised Code, especially those related to providing reasonably priced natural gas services, quality choice options, effective choices over the selection of supplies and suppliers, cost-effective services, and customer choice of their supplier that I discussed earlier.

***Q24. HOW DO YOU RESPOND TO THE MARKETERS' POSITION THAT ONLY RELATIVELY FEW CONSUMERS ARE EXPOSED TO HIGH MVR PROGRAM PRICES AT ANY ONE TIME?***

***A24.*** I agree with the Marketers' contentions that there are relatively few consumers (especially residential consumers) on the Program at any one time and that most consumers tend to migrate off the Program in less than one year. However, I would point out that considerable financial harm can be done to consumers given the high (often unconscionably high) Program rates even if the consumers stay on the Program for only a short time. Additionally, I would note that an alarming number of residential consumers stay on the Program for a protracted period time. This suggests that the consumers are unaware that they are paying more than they have to for natural gas service and that there are less costly options available. Lastly, as Dominion suggested in its reply comments,[37] the relatively few residential consumers on the Program at any one time argues more for eliminating the Program for residential consumers rather than preserving and modifying it, given the consumer harm that has occurred.

[37] *Id.*

***Q25. HOW DO YOU RESPOND TO THE MARKETERS' CONTENTION THAT THE PROGRAM RATES SHOULD NOT BE COMPARED TO SCO RATES BECAUSE THE COST OF DOMINION'S ASSOCIATED CUSTOMER EDUCATION EFFORTS ARE NOT REFLECTED IN SCO RATES AND/OR BECAUSE THE SCO IS A WHOLESALE PRODUCT RESULTING FROM A WHOLESALE AUCTION?***

***A25.*** The Marketers are wrong for several reasons. First, the SCO is a retail process where the rates are determined based on a retail auction and the transaction between SCO suppliers and customers is a retail transaction. For competitive natural gas services in Ohio, a wholesale transaction involves a sale for resale to end-use consumers, whereas a retail transaction involves a direct sale to end-use consumers. With the SCO process, Dominion facilitates the grouping of SCO consumers into "tranches" (which are identified fractions of the estimated volume of gas that the SCO customers will use) and conducts an auction where certified suppliers submit bids through multiple rounds to win and serve tranches at a final market price. The process is eminently competitive. And importantly, unlike prior to the 2013 Order, Dominion never takes title to the gas sold as a result of the SCO auctions. The gas sold as a result of the SCO auctions passes directly from SCO winning marketers to consumers. Therefore, SCO transactions are competitive retail transactions.

Second, Dominion's customer education efforts describing customer choice and making consumers aware of the choices available to them benefits all market participants, including the Marketers. Presumably, the Marketers do not build in Dominion's consumer education costs into the prices for their products just as the education costs are not built into SCO rates.

***Q26. HOW DO YOU RESPOND TO THE MARKETERS' ARGUMENT THAT THE MVR PROGRAM WAS NEVER INTENDED TO BE THE LOWEST RATE AVAILABLE TO CONSUMERS?***

***A26.*** I would point out that the non-competitive Program rates surely have not been the lowest prices available to consumers. Most of the Program rates are considerably higher than market rates. And that is the principal flaw with the Program. The Program imposes punitive measures on consumers (in the form of higher prices) for failing to make a choice, it does not promote customer choice of suppliers because customers are randomly assigned to suppliers without their consent, and it provides no benefit to consumers. As I stated above, imposing punitive measures on consumers for nothing more than not making an affirmative choice at the end of their supply contract is not in the public interest.

***Q27. HOW DO YOU RESPOND TO THE MARKETERS' CONTENTIONS THAT THE SCO IS NOT A COMPETITIVE PRODUCT AND THAT IT IS HINDERING DEVELOPMENT OF THE COMPETITIVE MARKET?***

***A27.*** I disagree. The SCO process is akin to a governmental aggregation program where a government entity groups together its constituents and attempts to leverage the buying power of the larger group to obtain a better price for all of its members. Under the SCO process, Dominion identifies and groups the SCO consumers and uses an auction process to obtain a competitive retail price for the consumers. The two processes are similar, yet the Marketers are not claiming that governmental aggregation is hindering development of the competitive market.

Similarly, as I discussed above, the SCO is a very competitive product that all of the Marketers are free to compete in to win the opportunity to serve tranches of SCO, same as they can compete to serve a governmental aggregation. The SCO process enhances competition for natural gas supply to retail consumers because marketers compete aggressively and directly to serve retail consumers. The Marketers can compete in the SCO auctions and/or they can compete to lure consumers away from the SCO by offering better prices or other services that may be of value to consumers. Lastly, the PUCO's most recent Natural Gas Choice Activity report available on the PUCO's website shows that 70% of customers in Dominion's service area have chosen a competitive supplier. Given that the SCO is also a competitive retail product, there is no evidence that the SCO hinders a competitive natural gas market.

***Q28. THE MARKETERS CONTEND THAT THE POSITIONS OCC IS TAKING IN THIS CASE ARE COUNTER TO THE DIRECTIVE IN R.C. 4911.02(C) THAT OCC MUST FOLLOW STATE POLICY REGARDING NATURAL GAS GOODS AND SERVICES. HOW DO YOU RESPOND?***

***A28.*** I disagree. OCC's positions in this case are completely consistent with the State's policies related to natural gas goods and services. As I pointed out above, OCC's recommendations to eliminate the Program as an option for residential consumers are consistent with State policies intended to bring consumers the benefits of a competitive natural gas market where willing consumers have effective choice of suppliers, reasonable rates, terms, and conditions of service, and quality options.

***Q29. CAN YOU PLEASE SUMMARIZE YOUR RECOMMENDATIONS?***

***A29.*** Yes. First, I recommend that the PUCO protect residential consumers from additional harm by immediately eliminating the Program as an option for residential consumers. Second, also to protect consumers, I recommend that the PUCO make the SCO the default service for residential consumers in Dominion's service area in all instances.

## IV. CONCLUSION

***Q30. DOES THIS CONCLUDE YOUR TESTIMONY?***

***A30.*** Yes. However, I reserve the right to incorporate new information that may subsequently become available through outstanding discovery or otherwise, or to supplement my testimony if the PUCO Staff modifies any of the positions taken in the PUCO Staff Comments.

## CERTIFICATE OF SERVICE

I hereby certify that a true copy of the foregoing *Direct Testimony of Kerry J. Adkins on Behalf of the Office of the Ohio Consumers' Counsel* was served via electronic transmission to the persons listed below on this 15th day of November 2019.

*/s/ Terry L. Etter*
Terry L. Etter
Assistant Consumers' Counsel

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**Testimony of Kerry J. Adkins**
**Filed at the Public Utilities Commission of Ohio**

1. *In the Matter of the Complaint and Appeal of the Cleveland Electric Illuminating Company from Ordinance 21-1994 of the Council of the City of Garfield Heights, Ohio Passed March 10, 1994, entitled "An Emergency Ordinance to Establish and Fix a Schedule of Rates, Terms and Conditions for Electric Service Being Provided by the Cleveland Electric Illuminating Company to its Electric Customers in the City of Garfield Heights, Ohio,* Case No. 94-578-EL-CMR (March 20, 1995).

2. *In the Matter of the Application of The Toledo Edison Company for Authority to Amend and Increase Certain of Its Rates and Charges for Electric Service*, Case No. 95-299-EL-AIR (January 22, 1996).

3. *In the Matter of the Application of The Cleveland Electric Illuminating Company for Authority to Amend and Increase Certain of Its Rates and Charges for Electric Service*, Case No. 95-300-EL-AIR (January 22, 1996)

4. *In the Matter of the Conjunctive Electric Guidelines Proposed by Participants of the Commission Roundtable on Competition in the Electric Industry*, Case No. 96-406-EL-COI (February 10, 1998).

5. *In the Matter of the Application Not for an Increase in Rates of The Dayton Power and Light Company for Approval to Modify Its Existing Alternative Generation Supplier (AGS) Tariff Sheet No. G8.,* Case No. 03-2341-EL-ATA (September 22, 2004)

6. *In the Matter of the Commission Staff's Investigation into the Alleged MTSS Violations of Buzz Telecom.,* Case No. 06-1443-TP-UNC (February 7, 2007).

7. *In the Matter of the Application of The East Ohio Gas Company dba Dominion East Ohio to Adjust Its Pipeline Infrastructure Replacement (PIR) Cost Recovery Charge and Related Matters,* Case No. 09-458-GA-UNC (October 14, 2009)

8. *In the Matter of the Application of Vectren Energy Delivery of, Inc. for Authority to Adjust its Distribution Replacement Rider Charges,* Case No. 11-2776-GA-RDR (August 10, 2011).

9. *In the Matter of Application of The East Ohio Gas Company d/b/a Dominion East Ohio for Approval of Tariffs to Adjust its Automated Meter Reading Cost Recovery Charge and Related Matters.,* Case No. 11-5843-GA-RDR (April 27,2012)

10. *In the Matter of the Application of Vectren Energy Delivery of, Inc. for Authority to Adjust its Distribution Replacement Rider Charges,* Case No. 12-1423-GA-RDR (August 28, 2012).

11. *In the Matter of Duke Energy Ohio, Inc., for an Increase in Electric Distribution Rates*, Case No. 12-1682-EL-AIR (March 20, 2013).

12. *In the Matter of Duke Energy Ohio, Inc., for an Increase in Gas Rates.,* Case No. 12-1685-GA-AIR (April 22, 2013).

13. *In the Matter of the Application of Duke Energy Ohio Inc., for Approval of an Alternate Rate Plan Pursuant to Section 4929.05, Revised Code, for an Accelerated Service Line Replacement Program,* Case No. 14-1622-GA-ALT (November 6, 2015).

14. *In the Matter of the Application of Northeast Natural Gas Corp. for an Increase in Gas Distribution Rates*, Case No. 18-1720-GA-AIR (July 25, 2019).

15. *In the Matter of the Application of Duke Energy Ohio, Inc. for Implementation of the Tax Cuts and Jobs Act of 2017*, Case No. 18-1830-GA-UNC (July 31, 2019).

16. *In the Matter of the Commission's Investigation into PALMco Power OH, LLC d/b/a Indra Energy's Compliance with the Ohio Administrative Code and Potential Remedial Actions for Non-Compliance,* Case No. 19-957-GE-COI (September 4, 2019).

17. *In the Matter of the Application of The East Ohio Gas Company d/b/a Dominion Energy Ohio re: Implementation of the Tax Cuts and Jobs Act of 2017*, Case No. 18-1908-GA-UNC (September 10, 2019).

18. *In the Matter of the Application of Duke Energy Ohio, Inc. for an Adjustment to Rider MGP Rates,* Case No. 14-375-GA-RDR (Confidential) (October 8, 2019).

# Dominion MVR Issue
## SCO vs. MVR
## September 13, 2019 - October 13, 2019

**Dominion SCO:** **$2.4710 /Mcf**

| | Marketer | MVR Rate $/Mcf | Percent of SCO |
|---|---|---|---|
| 1 | Verde Energy | 9.2500 | 374% |
| 2 | North American Power & Gas, LLC | 7.9900 | 323% |
| 3 | U.S. Gas & Electric dba Ohio Gas & Electric | 6.5000 | 263% |
| 4 | Snyder Brothers Energy Marketing, LLC | 5.9900 | 242% |
| 5 | United Energy Trading dba Kratos | 5.1000 | 206% |
| 6 | Constellation New Energy | 4.5900 | 186% |
| 7 | ENGIE Resources | 4.5000 | 182% |
| 8 | Interstate Gas Supply, Inc. | 4.4900 | 182% |
| 9 | SouthStar Energy dba Ohio Natural Gas | 4.3900 | 178% |
| 10 | Just Energy (Commerce Energy) | 4.3300 | 175% |
| 11 | Energy Cooperative of Ohio | 4.1900 | 170% |
| 12 | Shipley Energy | 4.1800 | 169% |
| 13 | Dominion Energy Solutions | 3.9010 | 158% |
| 14 | Titan Gas & Power | 3.7000 | 150% |
| 15 | Vista Energy | 3.6310 | 147% |
| 16 | Energy 95, LLC dba Quake Energy, LLC | 3.4890 | 141% |
| 17 | Direct Energy, LLC | 3.2510 | 132% |
| 18 | Volunteer Energy Service, Inc. | 3.2410 | 131% |
| 19 | CenterPoint Energy (Lakeshore Energy) | 2.9900 | 121% |
| 20 | Mercury Energy Ohio | 2.9500 | 119% |
| 21 | DTE Energy Trading dba DTE Energy Supply | 2.4710 | 100% |

4.5297 Average Price/Mcf

Source:
https://www.dominiongaschoice.com/rates-and-suppliers

Dominion MVR Issue
SCO vs. MVR -- From Staff 10/11/19 Comments (p.7)
February 14, 2019

Dominion SCO: $3.0200 /Mcf

| Marketer | MVR Rate $/Mcf | Percent of SCO |
|---|---|---|
| 1 | 9.2500 | 306% |
| 2 | 7.1900 | 238% |
| 3 | 6.5000 | 215% |
| 4 | 6.4900 | 215% |
| 5 | 6.2600 | 207% |
| 6 | 5.9900 | 198% |
| 7 | 5.8900 | 195% |
| 8 | 5.7200 | 189% |
| 9 | 5.2500 | 174% |
| 10 | 4.9900 | 165% |
| 11 | 4.6000 | 152% |
| 12 | 4.5000 | 149% |
| 13 | 4.3800 | 145% |
| 14 | 4.1900 | 139% |
| 15 | 3.9400 | 130% |
| 16 | 3.7500 | 124% |
| 17 | 3.7000 | 123% |
| 18 | 3.6300 | 120% |
| 19 | 3.6000 | 119% |
| 20 | 3.0200 | 100% |

Source:
Comments submitted on behalf of the Staff of the Public Utilities Commission of Ohio in Case No. 18-1419-GA-EXM, October 11, 2019 citing email from Kirstin Janeko, Business Performance Analyst, Dominion Energy Ohio to Gas_energy_choice@dominionenergy.com, February 13, 2019.

**Case No. 18-1419-GA-EXM -- Dominion MVR**
**SCO vs. MVR**
**September 13, 2018 - October 11, 2018**

**Dominion SCO: $2.9650 /Mcf**

| | Marketer | MVR Rate $/Mcf | Percent of SCO | |
|---|---|---|---|---|
| 1 | Verde Energy USA Ohio LLC | 9.2500 | 312% | |
| 2 | DTE Gas Supply | 6.7500 | 228% | |
| 3 | Ohio Gas & Electric | 6.5000 | 219% | |
| 4 | Constellation NewEnergy-Gas Division LLC | 6.4900 | 219% | |
| 5 | Dominion Energy Solutions Inc | 5.2810 | 178% | |
| 6 | Ohio Natural Gas | 4.8900 | 165% | |
| 7 | Snyder Brothers Energy Marketing LLC | 4.8900 | 165% | |
| 8 | IGS Energy | 4.8100 | 162% | |
| 9 | Just Energy | 4.6924 | 158% | |
| 10 | Kratos Gas & Power | 4.5300 | 153% | * |
| 11 | Shipley Choice LLC | 4.5300 | 153% | |
| 12 | Quake Energy LLC | 4.4730 | 151% | |
| 13 | Energy Cooperative of Ohio | 4.2900 | 145% | |
| 14 | Energy Cooperative of Ohio | 4.2900 | 145% | |
| 15 | Volunteer Energy Services Inc | 3.8850 | 131% | |
| 16 | Vista Energy Marketing LP | 3.6310 | 122% | |
| 17 | Titan Gas LLC | 3.6000 | 121% | |
| 18 | Direct Energy Services LLC | 3.3950 | 115% | |
| 19 | American Power & Gas of Ohio LLC | 2.9900 | 101% | * |
| 20 | Centerpoint Energy Services Inc | 2.9900 | 101% | |
| 21 | Palmco Energy OH LLC | 2.6000 | 88% | * |
| 22 | XOOM Energy Ohio LLC | 1.9900 | 67% | * |

Source: PUCO's Apples-to-Apples price comparison charts
* Denotes an introductory offer

**Dominion MVR Issue**
**SCO vs. MVR**
**2016 Average**

**Dominion SCO: $2.5035 /Mcf**

| | Marketer | MVR Rate $/Mcf | Percent of SCO | |
|---|---|---|---|---|
| 1 | DTE Gas Supply | 6.7500 | 270% | |
| 2 | Censtar Energy Corp | 6.4000 | 256% | |
| 3 | North American Power and Gas LLC | 5.7900 | 231% | |
| 4 | Constellation Energy Services - Natural Gas, LLC | 5.4900 | 219% | |
| 5 | Constellation Energy Gas Choice Inc | 5.2900 | 211% | |
| 6 | Snyder Brothers Energy Marketing LLC | 5.1900 | 207% | |
| 7 | CenterPoint Energy Service Retail | 4.9900 | 199% | |
| 8 | Continuum Retail Energy Services | 4.9900 | 199% | |
| 9 | Ohio Natural Gas | 4.8400 | 193% | |
| 10 | Ohio Gas & Electric | 4.7697 | 191% | |
| 11 | Dominion Energy Solutions | 4.1460 | 166% | |
| 12 | IGS Energy | 4.0525 | 162% | |
| 13 | Kratos Gas & Power | 3.9300 | 157% | * |
| 14 | Energy Cooperative of Ohio | 3.8150 | 152% | |
| 15 | Just Energy | 3.5404 | 141% | |
| 16 | Direct Energy Services LLC | 3.5360 | 141% | |
| 17 | Volunteer Energy Services Inc | 3.5260 | 141% | |
| 18 | Quake Energy LLC | 3.4525 | 138% | |
| 19 | Palmco Energy OH LLC | 2.9980 | 120% | * |
| 20 | XOOM Energy Ohio LLC | 2.1175 | 85% | * |
| 21 | Energy Plus Natural Gas LLC | 1.8367 | 73% | * |

$4.3548 Average Price/Mcf

Source: PUCO's Apples-to-Apples price comparison charts
* Denotes an introductory offer

**Dominion MVR Issue**
**SCO vs. MVR**
**2017 Average**

**Dominion SCO: $3.2740 /Mcf**

| | Marketer | MVR Rate $/Mcf | Percent of SCO | |
|---|---|---|---|---|
| 1 | Censtar Energy Corp | 7.1950 | 220% | |
| 2 | DTE Gas Supply | 6.7500 | 206% | |
| 3 | Ohio Gas & Electric | 6.7450 | 206% | |
| 4 | Spark Energy Gas LP | 6.1600 | 188% | |
| 5 | Constellation Energy Gas Choice Inc | 6.1400 | 188% | |
| 6 | Ohio Natural Gas | 5.5650 | 170% | |
| 7 | Shipley Choice, LLC | 5.0200 | 153% | |
| 8 | Snyder Brothers Energy Marketing LLC | 4.9400 | 151% | |
| 9 | Dominion Energy Solutions | 4.9365 | 151% | |
| 10 | IGS Energy | 4.7275 | 144% | |
| 11 | Kratos Gas & Power | 4.6575 | 142% | * |
| 12 | Energy Cooperative of Ohio | 4.5650 | 139% | |
| 13 | Volunteer Energy Services Inc | 4.2765 | 131% | |
| 14 | Just Energy | 4.2317 | 129% | |
| 15 | Quake Energy LLC | 4.1930 | 128% | |
| 16 | Direct Energy Services LLC | 3.8615 | 118% | |
| 17 | Titan Gas LLC | 3.6000 | 110% | |
| 18 | Vista Energy Marketing LP | 3.4900 | 107% | |
| 19 | American Power & Gas of Ohio, LLC | 3.2900 | 100% | * |
| 20 | CenterPoint Energy Service Retail | 3.0300 | 93% | |
| 21 | Palmco Energy OH LLC | 2.9460 | 90% | * |
| 22 | XOOM Energy Ohio LLC | 2.2475 | 69% | * |

$4.6622 Average Price/Mcf

Source: PUCO's Apples-to-Apples price comparison charts
* Denotes an introductory offer

**Dominion MVR Issue**
**SCO vs. MVR**
**2018 Average**

**Dominion SCO: $2.9140 /Mcf**

| | Marketer | MVR Rate $/Mcf | Percent of SCO | |
|---|---|---|---|---|
| 1 | Verde Energy USA Ohio LLC | 9.2500 | 317% | |
| 2 | Censtar Energy Corp | 9.0200 | 310% | |
| 3 | Spark Energy Gas LP | 9.0200 | 310% | |
| 4 | DTE Gas Supply | 6.7500 | 232% | |
| 5 | Ohio Gas & Electric | 6.5000 | 223% | |
| 6 | Constellation Energy Gas Choice Inc | 6.2150 | 213% | |
| 7 | Shipley Choice, LLC | 5.9750 | 205% | |
| 8 | Ohio Natural Gas | 5.2650 | 181% | |
| 9 | Dominion Energy Solutions | 5.1418 | 176% | |
| 10 | Snyder Brothers Energy Marketing LLC | 4.9400 | 170% | |
| 11 | Kratos Gas & Power | 4.7288 | 162% | |
| 12 | IGS Energy | 4.5550 | 156% | |
| 13 | Just Energy | 4.5496 | 156% | |
| 14 | Quake Energy LLC | 4.5443 | 156% | |
| 15 | Energy Cooperative of Ohio | 4.2900 | 147% | |
| 16 | Volunteer Energy Services Inc | 3.8515 | 132% | |
| 17 | Titan Gas LLC | 3.6000 | 124% | * |
| 18 | Vista Energy Marketing LP | 3.5958 | 123% | |
| 19 | Direct Energy Services LLC | 3.3865 | 116% | |
| 20 | CenterPoint Energy Service Retail | 3.0700 | 105% | |
| 21 | American Power & Gas of Ohio, LLC | 2.9900 | 103% | * |
| 22 | Indra Energy | 2.6000 | 89% | * |
| 23 | Palmco Energy OH LLC | 2.5633 | 88% | * |
| 24 | XOOM Energy Ohio LLC | 2.1200 | 73% | * |

$4.9384 Average Price/Mcf

Source: PUCO's Apples-to-Apples price comparison charts
* Denotes an introductory offer