

# THE PUBLIC UTILITIES COMMISSION OF OHIO

IN THE MATTER OF THE ANNUAL  
REPORTS FOR CALENDAR YEAR 2019 FOR  
THE FISCAL ASSESSMENT OF ALL  
REGULATED ENTITIES.

CASE NO. 20-01-AU-RPT

## ENTRY

Entered in the Journal on January 29, 2020

### I. SUMMARY

{¶ 1} The Commission directs all regulated entities to file a 2019 annual report for fiscal assessment through the Commission's web-based filing system known as the PUCO Community by April 30, 2020. Those entities that fail to file a timely 2019 annual report may be subject to a forfeiture. R.C. 4905.54.

### II. DISCUSSION

{¶ 2} R.C. 4905.10 requires each railroad and public utility to pay an annual assessment based upon their intrastate gross earnings for the purpose of maintaining the operations of this Commission.<sup>1</sup> In order to calculate such assessment, R.C. 4905.14 requires each railroad and each public utility to file an annual report with the Commission. R.C. 4905.10(A) sets a minimum assessment of \$100 per company, regardless of their intrastate gross revenues<sup>2</sup> in the reporting year. Every company that conducted jurisdictional operations during calendar year 2019 is required to file a report.

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

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

{¶ 3} Each regulated entity must file a separate report for each certificate held. Companies with two or more certificates should submit an annual report for each certificate or authority held during 2019, even if the company did not have intrastate gross earnings during the 2019 calendar year. No annual report is required for certificates issued in 2020.

{¶ 4} Concurrent with the filing of this Entry, Staff is directed to post on the Commission's website, and file in this docket, a list of all entities subject to fiscal assessment for the 2019 calendar year, based on Commission records. Each entity listed thereon is directed to submit its annual report using the Commission's web-based filing system by April 30, 2020.

{¶ 5} Since 2018, the Commission has utilized its web-based filing system known as the PUCO Community for annual report filings. Through the streamlined PUCO Community, regulated entities are able to file their annual reports and pay the assessments securely online with no additional fees. Beginning in 2020, the login process for the PUCO Community will change. PUCO Community users will be asked to create an OH|ID account for authentication and login. The OH|ID platform creates one simple and secure location to access information and conduct business with the State of Ohio. It is built on the most modern security technology, is compliant with federal security guidelines, and is tested and enhanced regularly. For more information, please refer to Attachment A to this Entry; visit <https://www.puco.ohio.gov/pucocommunity>; or call the Commission's Call Center at 1-800-686-PUCO (7826).

{¶ 6} Once annual report filers receive access to the PUCO Community, they can file annual reports beginning January 30, 2020, by visiting <https://www.puco.ohio.gov/pucocommunity>.<sup>3</sup> Annual report filers will receive a notification when the system is available to receive filings. In addition to filing the required supplemental documents and financial information, including the intrastate gross earnings

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

of the entity, each reporting entity is requested to verify and update the docketing contact, who will receive official legal notice or service of process on behalf of the regulated entity, and the fiscal contact, who will receive annual fiscal assessment invoices, have authority to pay invoices from the Commission and are authorized to receive delinquent invoice notifications.

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

{¶ 8} Regulated companies are also reminded to stay in compliance with relevant legal requirements to report or make applications to the Commission for changes in company information or corporate structure, such as changes in company name, mergers, transfers, etc. If any company information such as mailing address, company name, or president of the company are not up-to-date in the annual report filing system, please contact the Commission’s Call Center at 1-800-686-PUCO (7826). All information required to be submitted in a company’s report is subject to audit by the Commission. All annual reports received by the Commission are public records and will not be accorded confidential treatment.

{¶ 9} All certified suppliers are reminded that in addition to the filing of fiscal annual reports, all CRES and CRNGS providers must renew their certificates every two years, pursuant to R.C. 4928.08(C) and 4929.20(B) and Ohio Adm.Code 4901:1-24-09 and

4901:1-27-09. Additionally, CRES and CRNGS providers are required, within 30 calendar days of the change, to make material change notifications to the Commission, if there are any changes to the information supplied in the original application, pursuant to Ohio Adm.Code 4901:1-24-11 and 4901:1-27-11. Also, electric suppliers who take title to the power are reminded to file renewable portfolio reports by April 17, 2020.<sup>4</sup>

{¶ 10} All companies are hereby put on notice that the Commission will expect timely compliance from all reporting companies. All reporting companies should take notice that a civil forfeiture of up to \$10,000, may be assessed, pursuant to R.C. 4905.54, against any company that fails to comply by the April 30, 2020 deadline, absent good cause shown. Such forfeiture would be in addition to any amounts owed to this Commission.

{¶ 11} Additionally, all reporting companies should subscribe to the appropriate Commission industry listserv(s), which can be done by submitting your email to the Commission's Docketing Division under "Service List Sign Up" at: <https://www.puco.ohio.gov/docketing/service-list-sign-up/>. The Commission uses the industry service lists to send notices, forms, industry-specific communications, such as noticing a rule-making proceeding or compliance with other reporting obligations to the Commission. It is recommended that reporting entities consider using company rather than individual employee mailboxes, and take appropriate actions to ensure that email from the Commission is not blocked or disabled.

### III. ORDER

{¶ 12} It is, therefore,

{¶ 13} ORDERED, That each regulated entity create an OH | ID account and request access to the PUCO Community, as further described in Paragraphs 5 and 6. It is, further,

{¶ 14} ORDERED, That each reporting entity subject to fiscal assessment for the 2019 calendar year submit its annual report using the online system by April 30, 2020. It is,

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<sup>4</sup> Go to [www.puco.ohio.gov/puco/renewables](http://www.puco.ohio.gov/puco/renewables) for further details.

further,

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

COMMISSIONERS:

*Approving:*

Sam Randazzo, Chairman

M. Beth Trombold

Lawrence K. Friedeman

Dennis P. Deters

AS/kck

## Attachment A – Entry 20-01-AU-RPT

### What is the PUCO Community?

The PUCO Community is an online service for regulated businesses to view certificates, file annual reports, pay annual assessments and more.

### How do I access the PUCO Community?

As a PUCO Community user, you will now log in using your OH|ID account to access the PUCO Community. OH|ID is a centralized, secured portal designed for Ohioans to access information and conduct business with a variety of state agencies, all in one place.

Users must access the PUCO Community using their OH|ID account. If you do not have an OH|ID, you will need to create one. We recommend using the same email address for OH|ID that you use for PUCO Community to allow for automatic access. If you are not sure which email address you used for PUCO Community, please contact (800)686-PUCO (7826) or email: [ContactThePUCO@puco.ohio.gov](mailto:ContactThePUCO@puco.ohio.gov).

If you already have an OH|ID, log in to [OH|ID](https://ohid.ohio.gov) [ohid.ohio.gov] and select the PUCO Community tile from the *Available Apps* section on the OH|ID homepage. Prior to accessing the PUCO Community, you may be asked to complete a request form to ensure you have access to the appropriate services within the PUCO Community.

To create an OH|ID or for more information, please visit the [PUCO Community page](https://puco.ohio.gov/pucocommunity) [puco.ohio.gov/pucocommunity].

### Why do I need an OH|ID?

In terms of digital identity and cybersecurity, OH|ID is Best-of-Breed. It meets all federal and state digital security guidelines and is regularly audited to ensure your data and personal information remain private and secured.

OH|ID is powered by the [InnovateOhio Platform](https://innovateohio.gov/wps/portal/gov/innovate/platform/digital-identity) [https://innovateohio.gov/wps/portal/gov/innovate/platform/digital-identity], a key component of Governor Mike DeWine and Lt. Governor Jon Husted's InnovateOhio vision to improve citizen interactions with the state by making them more dynamic, data-driven, and customer-centered.

**Questions?** [OH|ID Help Center](https://ohid.ohio.gov/wps/portal/ohid/business/help-center/need-help/) [https://ohid.ohio.gov/wps/portal/ohid/business/help-center/need-help/]

We're here to help. Please contact us by phone (800) 686-PUCO (7826) or email: [ContactThePUCO@puco.ohio.gov](mailto:ContactThePUCO@puco.ohio.gov).

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

**Commission of Ohio Docketing Information System on**

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**Case No(s). 20-0001-AU-RPT**

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