

**BEFORE
THE PUBLIC UTILITIES COMMISSION OF OHIO**

In the Matter of the Commission's)	
Review of Ohio Adm. Code)	Case No. 19-0052-AU-ORD
Chapters 4901:1-17 and 4901:1-18)	
)	

**COMMENTS OF OHIO EDISON COMPANY, THE CLEVELAND ELECTRIC
ILLUMINATING COMPANY, AND THE TOLEDO EDISON COMPANY**

I. Introduction

Pursuant to the Commission's Entry of June 19, 2019 ("Entry") and the Ohio Development Services Agency ("ODSA")'s November 25, 2020 Business Impact Analysis ("BIA")¹, Ohio Edison Company, The Cleveland Electric Illuminating Company, and The Toledo Edison Company (the "Companies"), respectfully submit these comments on ODSA's proposed revisions to the Rules contained in Chapter 122:5-3 of the Ohio Administrative Code (the "OAC").

In general, the Companies support amendments to the PIPP rules in OAC Chapter 122:5-3 that facilitate increased participation in energy assistance programs by electric customers in Ohio. Removing barriers to re-enrollment following removal from the program is a positive change to these rules. However, the Companies oppose changes that create confusion or undue administrative burdens with respect to customer removals and customer re-enrollments following removal from PIPP.

The Companies respectfully request that ODSA and the Commission consider their comments and appropriately modify and/or add to the proposed rules.

¹ See BIA at 9, ¶18 ("Small businesses may comment on the proposed rule changes either through the PUCO Entry 19-52-AU-ORD or by emailing Development at Rule.Comment@development.ohio.gov.").

II. Comments

A. OAC Section 122:5-3-01. Definitions.

Paragraph (OO) – Definition of “Removed for non-payment”. As discussed below, the Companies oppose ODSA’s amendment of OAC 122:5-3-02(H)(1)(c)(i). While this new defined term “Removed for non-payment” appears to have been inadvertently omitted from ODSA’s changes to that rule, this term seems to define the same procedure outlined in ODSA’s proposed amendment to OAC 122:5-3-02(H)(1)(c)(i). The Companies oppose this definition and the changes to OAC 122:5-3-02(H)(1)(c)(i) because of the confusion they create about the re-enrollment process for customers who are removed from PIPP.

B. OAC Section 122:5-3-02. Criteria for customer eligibility.

The Companies support ODSA’s proposed change to the formula for a customer’s payment obligations for re-enrollment after the customer is dropped from PIPP because it simplifies and clarifies the calculation. However, the Companies note that they currently only retain twenty-four months of customer payment history in their SAP system. To avoid expensive and administratively burdensome updates to their computer systems, the Companies recommend that ODSA’s proposed revisions to OAC 122:5-3-02(H)(1)(a) be amended to limit the required PIPP re-enrollment amount to a period of up to 24 months.

The Companies oppose ODSA’s proposed addition to OAC 122:5-3-02(H)(1)(c)(i), which would define the procedures for a utility to follow for PIPP customers who have failed to make three consecutive payments. This revision to the rule creates significant administrative burdens for the Companies. Instead of processing customer removals from PIPP once a year, the proposed amendments would require the Companies to process as many as four per year per customer. This would require expensive and administratively burdensome updates to the Companies’ computer

systems and would likely result in confusion to customers, particularly with respect to the timing of PIPP anniversary notifications. Further, the proposed rule does not outline the process for re-enrollment in the event a customer is dropped from PIPP following three consecutive months of nonpayment, nor does it address how a utility would handle a partial payment under this new procedure.

Additionally, the Companies seek clarification of ODSA's other proposed revisions to OAC 122:5-3-02(H), which removed the procedure for re-enrolling customers in PIPP after a customer is removed from PIPP for failing to be current on their PIPP installment payments through their PIPP anniversary date. Currently, an *electric distribution utility* is required to re-enroll such a customer in PIPP once the customer becomes current on their account. But ODSA's proposed revisions are silent on this re-enrollment procedure, so it is not clear whether the utility would be required to re-enroll a customer once the customer becomes current, or whether the customer would have to reapply for PIPP through their local agency. In the Companies' experience, it is less administratively burdensome and more customer-friendly for such re-enrollments to be completed by the utility, and the rule should be amended to reflect this requirement.

C. OAC Section 122:5-3-03. Procedures for verifying customer eligibility.

ODSA proposes amendments to OAC 122:5-3-03 for consistency with its amendments to OAC 122:5-3-01 and OAC 122:5-3-02. The Companies incorporate their comments and recommendations on OAC 122:5-3-01 and 122:5-3-02 with respect to OAC 122:5-3-03.

D. OAC Section 122:5-3-04. Payment and crediting arrangements and responsibility.

One of ODSA's proposed changes to OAC 122:5-3-04 would extend the time period for Graduate PIPP from twelve months to fourteen months. However, the guidelines for participation

in Graduate PIPP still contemplate a Graduate PIPP period of twelve months. While the Companies do not oppose the longer period for Graduate PIPP, for the avoidance of confusion, the Companies recommend that the participation guidelines be amended for consistency with this longer period.

III. Conclusion

The Companies appreciate the opportunity to comment on the proposed Rules. The Companies urge ODSA and the Commission to adopt the Companies' recommendations as set forth in these comments.

Respectfully submitted,

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CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing was filed electronically through the Docketing Information System of the Public Utilities Commission of Ohio on this 30th day of December, 2020. The PUCO's e-filing system will electronically serve notice of the filing of this document on counsel for all parties.

/s/ Emily V. Danford
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Cleveland Electric Illuminating Company,
and The Toledo Edison Company*

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in

Case No(s). 19-0052-AU-ORD

Summary: Comments electronically filed by Ms. Emily V Danford on behalf of The Cleveland Electric Illuminating Company and Ohio Edison Company and The Toledo Edison Company