**BEFORE**

**THE PUBLIC UTILITIES COMMISSION OF OHIO**

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| In the Matters of the Applications of Ohio Power Company, Duke Energy Ohio, Inc., Ohio Edison Company, the Cleveland Electric Illuminating Company, the Toledo Edison Company, and the Dayton Power and Light Company for Approval of their Energy Efficiency and Peak Demand Reduction Programs. | )  )  )  )  )  )  )  ) | Case No. 16-574-EL-POR  Case No. 16-576-EL-POR  Case No. 16-743-EL-POR  Case No. 17-1398-EL-POR |

**COMMENTS**

**BY**

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**COMMENTS**

**BY**

**THE OFFICE OF THE OHIO CONSUMERS' COUNSEL**

Energy efficiency can be an effective way for consumers to take action to lower their electric utility bills. With advances in technology through the competitive market, consumers now have numerous ways to save money by buying efficient products from local stores and online—light bulbs, washers and dryers, refrigerators, thermostats and HVAC equipment, appliances, you name it. The EnergyStar label has become a household name that allows consumers to quickly and easily identify products that can save them money by using less electricity, natural gas, and water. The competitive market for energy efficiency is working, especially compared to the market in 2008 when the bill enacting energy efficiency mandates (S.B. 221) was passed.

For a decade now, residential consumers have also had the option of participating in electric-utility energy efficiency programs in Ohio (though consumers have not had the option about whether to pay utilities for the programs). They pay. These programs offer incentives for customers to be more energy efficient, typically in the form of a rebate. Customers have paid

more than *$1 billion* for these programs since 2009. Much of this cost particularly benefits program participants, while non-participants do not benefit so much.

Also, the programs have administrative costs that go well beyond just the cost of the rebates. This includes marketing, processing rebates, shipping costs, and hiring contractors to review and analyze the programs, among other things. Especially troubling is the hundreds of millions of dollars that customers have paid to their utility for “shared savings.” “Shared savings” is code for “utility profits.” Running energy efficiency programs has become a lucrative endeavor for utilities. As just one example, in 2017, AEP spent (and charged customers) $64 million to run its energy efficiency programs, and the “shared savings” or utility profits increased the charges by an additional $31.2 million, nearly a 50% upcharge.[[1]](#footnote-2)

As explained below, the Consumers’ Counsel supports the continuation of energy efficiency programs after the expiration of mandates under House Bill 6, with certain limitations to protect customers from paying too much. The most critical limitation is that without any mandate, there should be no more “shared savings,” meaning no more utility profits at consumer expense. Zero. The programs should no longer line the pockets of utilities with profits, paid by those same consumers who are supposed to receive the benefits of the programs.

# I. BACKGROUND

## A. Electric energy efficiency programs have provided substantial benefits to customers, but customers have also paid a substantial cost for utilities to provide them.

Electric energy efficiency programs can provide long-term savings for customers. Ohio’s programs will likely save customers more than a billion dollars over the programs’ lifespan. At the same time, the programs can cost customers hundreds of millions of dollars per year. In the most recent electric energy efficiency portfolio cases, the PUCO authorized AEP to charge customers up to $110 million per year for program costs plus utility profits (“shared savings”). The costs and profits charged to consumers for other electric utilities included FirstEnergy charging up to $107 million, Duke Energy charging up to $38 million, and DP&L charging up to $33 million.[[2]](#footnote-3) And that’s only part of the story.

Recently, the Supreme Court of Ohio ruled that the PUCO lacked authority to limit these charges,[[3]](#footnote-4) so the charges to customers for 2019 and 2020 could be even higher. Further, each utility also charges customers millions per year in “lost revenues” or “decoupling” costs. These costs allegedly make the utility whole for the reduction in electricity sales, but they can be exorbitant. In one recent year, for example, DP&L charged its residential customers $16 million in “lost revenues” for energy efficiency programs that only cost $8.2 million.[[4]](#footnote-5)

On top of that, customers pay tens of millions of dollars per year to their utility in “shared savings,” which, again, is a code name for utility profits: up to $25 million per year to AEP, $12 million per year to FirstEnergy (though soon to be increased to more than $31 million per year), $10 million per year for Duke, and $9 million per year for DP&L.[[5]](#footnote-6) As a result of these lost revenues and shared savings payments, therefore, much of the savings that customers receive from participating in energy efficiency programs is erased. Bear in mind that consumers could shop at their local hardware store or online for energy efficiency measures without having to pay a penny to utilities for their profit.

## B. Proponents of House Bill 6 asserted that customers would save money under the bill as a result of the elimination of energy efficiency and renewable mandates. The PUCO should ensure that the promised savings for consumers come true.

House Bill 6 enables electric utilities to charge Ohio consumers for millions of dollars to subsidize uneconomic nuclear and coal power plants. Proponents of the bill asserted, however, that the bill would result in a net reduction in electric bills for Ohio consumers as a result of the elimination of energy efficiency and renewable mandates. The PUCO should guard against utilities undermining the intended outcome for electric bill savings for consumers.

House Bill 6 allows utilities to continue to charge customers for “decoupling.” That is, utilities can claim that, as a result of energy efficiency programs, the utility received less revenue, and therefore it must be made “whole” by adding a new decoupling surcharge to customers’ bills. These decoupling charges continue even after the end of the energy efficiency programs. Based on recent experience in Ohio, these charges can be tens of millions of dollars per year, thus cutting into the alleged savings that customers would see from the elimination of energy efficiency mandates. To provide customers the benefits of lower bills as intended under House Bill 6, the PUCO should ensure that any such decoupling charges to consumers are as limited as possible under the law.

Also, if utilities continue to offer and charge customers for non-mandated programs, then customers will continue to pay a monthly surcharge on their bills to subsidize the programs. As an example of a non-mandated program, the PUCO has allowed Columbia Gas to charge consumers for a program even though there are no statutory mandates for natural gas energy efficiency. Columbia Gas customers could pay more than $200 million for Columbia’s current programs (more than $33 million per year for six years), which includes consumers paying for Columbia’s profits.[[6]](#footnote-7) In this regard, FirstEnergy charges customers for energy efficiency programs as part of its most recent electric security plan, a commitment that continues through 2023 (past the expiration of mandates under HB 6).[[7]](#footnote-8)

Simply put, the lack of mandates has not prevented utilities from charging customers for energy efficiency programs in Ohio. But the PUCO should be vigilant to ensure that consumers save money under HB 6.

## C. Low-income programs can benefit the participating low-income customers, but the programs need to be well designed and transparent to maximize both the number of low-income customers who benefit and the amount of money those customers save.

All of Ohio’s electric utilities offer energy efficiency programs that are targeted to low-income customers. These programs typically involve substantial upgrades to customers’ homes through a process called “weatherization.” These substantial upgrades can make customers’ homes safer and more comfortable, and they can lower customers’ utility bills.

But in the long run, these programs generally cost more than they save. For example, AEP recently reported to its energy efficiency collaborative that for every dollar spent on its low-income program, customers will save just 30 cents. This is not to say that low-income programs are unsuccessful. The reason they are not cost-effective is generally that they are offered to low-income customers for free. Whereas a non-low-income program might offer a customer, say, a $200 rebate on an efficient furnace, a low-income weatherization program would provide the customer with the furnace for free. As a matter of public policy, it makes sense to offer steeper discounts to low-income customers because the societal benefits of helping low-income Ohioans more than make up for the purely mathematical “cost-benefit” analysis.

But there have been instances where low-income programs have been less productive. In a recent case involving Pike Natural Gas Company,[[8]](#footnote-9) for instance, the PUCO Staff found that very few PIPP customers were benefitting from its programs and that Pike was unable to complete any weatherization projects for much of 2018. The PUCO Staff also found that many houses actually used *more* natural gas after receiving weatherization. And while there are reasonable explanations for why this might be the case,[[9]](#footnote-10) it is important to ensure that low-income funds are used wisely.

And in some instances, the administrative costs for low-income programs appear to be needing more definition for the use of the costs. There should be stringent requirements for uses of administrative fees.

## D. The settlement process in PUCO cases should not allow utilities to use low-income programs and energy efficiency programs as a bargaining chip to gain signatures on settlements for unrelated utility charges to consumers.

Consumers that subsidize low-income programs should be protected from settlements where the low-income programs are used by utilities as a bargaining chip to gain signatures on settlements for other charges to consumers, such as small, large or massive subsidies for unrelated utility projects at consumer expense. In FirstEnergy’s most recent electric security plan case, for example, FirstEnergy was part of a settlement where customers would pay hundreds of millions of dollars in “stability” charges.[[10]](#footnote-11) FirstEnergy secured the signatures of several parties by promising to increase charges to consumers for energy efficiency and promising to provide cash or cash equivalents to energy efficiency providers, even though the electric security plan otherwise had nothing at all to do with energy efficiency.[[11]](#footnote-12)

The PUCO should bar the use of low-income programs and energy efficiency programs as a bargaining chip to obtain signatures on settlements. That can be a terrible process for consumers. Low-income programs in some amount are warranted as separate and apart from the latest utility “ask,” and should not be held hostage by utilities with a separate agenda. Low-income programs should be addressed and resolved separately from other utility and consumer issues, to protect at-risk Ohioans. Other consumers should be protected from both paying to subsidize the low-income programs and also to fund the utilities pet charge *du jour*.

# II. RECOMMENDATIONS

##### Issue 1: Whether the PUCO should terminate Ohio electric distribution utilities’ energy efficiency programs once the statutory cap of 17.5 percent has been met.

**The PUCO should allow utilities to continue programs through the end of 2020.**

Newly enacted R.C. 4828.66(F)(2) provides that electric distribution utilities’ current energy efficiency program shall be extended through December 31, 2020. Thus, if the statutory cap of 17.5% is reached before the end of 2020, it is not clear that the PUCO would have the authority to terminate the programs immediately upon achievement of the 17.5% mandate.

If the 17.5% mandate is not reached by the end of 2020, then the PUCO should allow electric distribution utilities to continue offering programs and charging customers for those programs after the mandate is met, subject to the consumer protection recommendations that OCC provides below in response to Issue 2.

##### Issue 2: Whether it is appropriate for Ohio electric distribution utilities to continue to spend customer provided funds on energy efficiency programs after the 17.5 percent cap has been met.

## A. Energy efficiency programs should be offered on a statewide basis and run by a statewide non-utility administrator.

Having utilities run energy efficiency programs creates an inherent conflict of interest. Utilities make more money by selling more electricity, so asking them to run programs that cause customers to use less energy is counterintuitive. Even in a restructured state like Ohio, utilities have several incentives to sell more electricity. First, distribution rates have a variable component, both through base rates and riders, so selling more electricity is good for business. Second, distribution utilities have affiliates that sell electricity, so even if the distribution utility itself had no interest in selling more electricity, the corporate parent has an incentive to sell more electricity and to keep regional electricity prices high. Third, AEP, Duke, and DP&L all retain an interest in generation through their partial ownership of the Ohio Valley Electric Corporation, as do FirstEnergy affiliates (though that is expected to end with the resolution of the FES bankruptcy).

S.B. 221 created utility savings mandates for each utility. It did not create a monopoly on energy efficiency providers. One solution is to simply take the utilities out of the equation by requiring a non-utility third party to administer energy efficiency programs for the entire state.[[12]](#footnote-13) This approach has several advantages. First, as explained, it eliminates the utilities’ bias in offering programs that reduce sales of electricity. The administrator would focus exclusively on providing the best programs for customers, not on maximizing utility revenue and profits. Second, it could allow for economies of scale. Third, it allows for consistency across the state, which makes it easier for customers to learn about and understand the offerings that are available. Fourth, by competitively bidding the process for hiring the administrator (as well as hiring any contractors helping to administer the programs), the cost of running the programs should be lower.

## B. If electric distribution utilities are permitted to continue to offer customer-funded energy efficiency programs, then the PUCO should require several modifications for consumer protection, including eliminating utility profits on energy efficiency and a more reasonable annual budget for charges to consumers.

### 1. “Shared savings” (utility profits) must end for energy efficiency.

Allowing utilities to profit from energy efficiency in Ohio has been a disaster. In the past ten years, customers have paid more than $300 million in “shared savings” to their utilities. It’s outrageous. That money goes straight to shareholders, with no direct benefits to customers. What was originally intended to give the utilities an incentive to go above and beyond has become little more than easy money for the utility.

In Ohio, utilities have been allowed to charge customers for “shared savings” (profits) as long as they exceed the statutory mandate, and the amount of profits increases as the utility goes higher and higher above the mandate. In other words, it is designed to give the utility an incentive not just to reach the statutory mandate, but to materially exceed that mandate.

Under House Bill 6, once the 17.5% benchmark is met, there is no mandate. Thus, logic compels the conclusion that shared savings profits should also end. If profits are a reward for exceeding a mandate and there no longer is a mandate, then there is no need for a reward.

Utilities are already guaranteed to be made whole (or better) through HB 6’s “decoupling” provision (described above). If utilities continue to offer efficiency programs, the PUCO should—consistent with the intent of House Bill 6 to lower customers’ bills—ensure that decoupling charges are the minimum necessary to implement the decoupling provisions found in House Bill 6. Such decoupling would provide more than enough protection to the utilities. There is no need to add even higher charges to consumers so that utilities can continue to profit from energy efficiency.

### 2. Low-income programs should continue and should include programs that reach as many low-income customers as possible.

Historically, Ohio’s low-income programs have generally focused on whole-house weatherization. These programs provide substantial upgrades to homes, including new furnaces, air sealing, insulation (attics, walls, ducts, water heaters), new appliances, thermostats, new water heaters, and other energy measures, as well as non-energy fixes like roof repair.[[13]](#footnote-14) The customers that receive these upgrades can save money on their bills by using less energy. But these programs can be expensive. The average cost to weatherize a home can be $6,000 or more. At a cost of $6,000 per home, very few customers can receive weatherization before the programs—which other customers pay for—start to get very expensive or run out of funds.[[14]](#footnote-15) At $6,000 per home, for example, a $10 million program would provide weatherization to fewer than 2,000 customers, a drop in the bucket compared to the number of low-income consumers in Ohio.

The Consumers’ Counsel supports the continuation of low-income programs, including weatherization. (OCC principally supports bill payment assistance as the low-income support to keep families in need alive and healthy through avoiding disconnection of service.)

Indeed, outside of utility programs, there is considerable federal funding for weatherization in Ohio. In 2019, Ohio was allocated approximately $155 million in LIHEAP[[15]](#footnote-16) funds. Ohio allocated 20% of the funds ($30.9 million) towards weatherization and the remainder was made available for bill payment assistance funding. For 2020, Ohio will receive $139 million, with $27.8 million going to weatherization. Beginning in fiscal year 2021, House Bill 6 requires the Ohio Development Service Agency to request an increase such that 25% of the annual LIHEAP funds would be used for weatherization. This will reduce the amount of funds that are available for bill payment assistance, which is the best use of these funds to help as many customers as possible keep their heat on during the winter.

Beyond weatherization, one goal of these low-income programs going forward should be to reach many more low-income customers. There are several potential ways to accomplish this goal. Other energy efficiency programs should be targeted to low-income customers. For example, an LED lighting rebate program could be marketed more particularly in low-income zip codes. A reasonable number of free LED bulbs could be offered to low-income families. Utilities could offer a smart thermostat program that provides low-income homes with a free smart thermostat, free installation, and free setup. Utilities could offer more robust bill-payment assistance programs to allow customers to avoid disconnection.

Utilities could also focus more on multi-family energy efficiency projects in lower-income neighborhoods. It is often more difficult for traditional energy efficiency programs to reach renters because renters don’t always have control over their homes. A renter, for example, might not have the authority to install EnergyStar appliances, but that same renter might be the one paying the utility bill. Going forward, energy efficiency programs should find ways to fill this type of gap.

Low-income programs should continue, including weatherization. But by focusing on programs that cost less to implement, more customers can participate in the programs and thus benefit from energy efficiency.

### 3. Given that the PUCO has authorized hundreds of millions of dollars in charges to consumers for the so-called “smart grid,” utilities should be required to use the smart grid to offer demand response and energy efficiency programs for the benefit of consumers without any additional charges to consumers.

Through 2019, Ohio’s electric distribution utilities have been authorized to charge customers approximately $2 billion to invest in “smart grid.” Customers are paying for these programs on the promise that they will deliver benefits that exceed their costs. To date, the verifiable benefits of smart grid to consumers have proven rather limited (including things like minor reductions in operations and maintenance costs resulting from utilities not needing to send meter readers to homes that now have a smart meter).

Installing a smart grid is one thing but making it work is another. If customers are paying for the smart grid—and they are—then utilities in Ohio should be required to maximize the benefits that customers can and do receive from the smart grid. Among other things, a properly-designed smart grid can provide customers energy efficiency benefits. This would include, among other things, using smart thermostats or smart meters to provide residential demand response programs, offering demand response programs as a non-wires alternative to making distribution investments on congested circuits, or offering well-designed time of use rates that actually encourage customers to lower their peak usage.

Demand response can play a particularly important role in customers receiving the benefits of smart grid. By enrolling in a demand reduction program, residential customers can reduce their energy consumption at times when overall demand for electricity, or shift their consumption to other times of day when the demand is low, power is more abundant, and it is less expensive to produce electricity, for example during nighttime hours.

If customers are willing to shift usage to times when demand is lower, an overall electricity price drop is expected because of a more efficient operation of the available infrastructure, as in for example, the reduction of demand from expensive electricity generating units. A reduction of demand at certain times and at specific locations could also contribute to avoiding the need for expensive transmission upgrades. This can lower the price of electricity for all electricity consumers.

Customers are already paying utilities for these smart grid investments to the tune of hundreds of millions of dollars with more charges to follow. Now it is the utilities’ turn to live up to the promises of smart grid and PowerForward by using the smart grid to actually deliver to consumers the benefits a smart grid should enable.

### 4. Some customer-funded non-low-income energy efficiency programs can continue, provided that there are appropriate consumer protections.

The Consumers’ Counsel has consistently supported electric energy efficiency programs as (i) a way for consumers who participate in the programs to save money on their bills, and (ii) a way for all consumers (participants and non-participants) to benefit from reduced demand (which can lower prices during peak times and delay the building of expensive new power plants). The Consumers’ Counsel has also advocated for consumer protection in the energy efficiency arena, including consumer protection from paying profits (shared savings) and unreasonable annual charges to consumers, who pay for these utility-run programs. Accordingly, once the energy efficiency and peak demand reduction mandates end in Ohio, there should be a continuation of customer-funded programs,[[16]](#footnote-17) provided that there are adequate consumer protections as follows.

a. Utilities Should Not Charge Consumers for Profits (Shared **Savings) on Energy Efficiency.**

For the reasons described above, utilities should be absolutely prohibited from charging customers for “shared savings” or any other type of utility shareholder profits on account of non-mandated energy efficiency programs. This is far and away the most important necessary consumer protection for energy efficiency programs in Ohio, and it is essential to the Consumers’ Counsel’s support for non-mandated, non-low-income, utility-run energy efficiency programs.

#### b. An Annual Budget for Utilities that Results in Reasonable Charges for Consumers

If utilities continue to run energy efficiency programs with no mandates (and charge customers for them), then the PUCO should require the utility to adhere to a reasonable not-to-be-exceeded annual budget. And the PUCO should ensure that the budget is consistent with the promise of HB 6 to reduce charges to consumers.

All residential customers pay for these energy efficiency programs, but not all customers participate in the programs. And while there are at least some system-wide benefits that accrue to all customers, the primary beneficiaries of the programs are the participants. Thus, while energy efficiency can provide substantial benefits to customers in the aggregate, there are undoubtedly many customers who pay a monthly rider charge to their utility but never participate (either because they can’t, simply don’t want to, or aren’t aware of them). Thus, it is important to limit the bill impact by requiring utilities to adhere to an annual budget which cannot be exceeded.

To limit charges to residential consumers to about $1 per month for energy efficiency, OCC proposes the following guideline for the maximum amount that residential customers of each of Ohio’s utilities should be charged for non-mandated energy efficiency programs:

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| Utility | Low-Income Programs (Residential) | Non-Low-Income Programs (Residential) |
| AEP Ohio | $9.3 million | $6.2 million |
| Cleveland Electric | $4.8 million | $3.2 million |
| Dayton Power & Light | $3.4 million | $2.2 million |
| Duke Energy Ohio | $4.6 million | $3.1 million |
| Ohio Edison | $6.7 million | $4.4 million |
| Toledo Edison | $2.0 million | $1.3 million |

At these amounts, the average residential customer would pay about $1 per month for energy efficiency, which is not an unreasonable amount in subsidies for the benefit of energy efficiency. This level of charges would still allow utilities the opportunity to offer energy efficiency programs to their residential customers.[[17]](#footnote-18) If utilities believe in the societal benefits of energy efficiency programs, they can consider using shareholder dollars to fund those programs, at least in part, with no limitation spending.

#### c. Focus on Reaching More Customers

Consistent with OCC’s recommendations regarding low-income programs, any non-mandated non-low-income program(s) should emphasize reaching more customers. As an illustrative example, it is better for energy efficiency programs to save ten customers $20 each than to save one customer $200, even though the aggregate savings are the same. One way to continue to reach many customers is through the continuation of behavioral programs (like home energy reports). Although these programs do not result in long-lasting savings (they are generally assumed to save customers money for a maximum of one year), they are inexpensive to administer and can reach many customers. Utilities should not rely on these programs exclusively, but in terms of reaching many customers—which reduces the extent to which customers are paying a subsidy—these programs are effective.

#### d. Continue Education Programs

School education programs are common in energy efficiency portfolios. These programs teach schoolchildren about energy efficiency and provide them with basic energy efficient products (light bulbs, faucet aerators, etc.) that they can install in their own homes. Utilities should continue to offer these programs. School education programs could also be targeted to reach low-income students by focusing on schools in lower-income neighborhoods. The PUCO should not allow utility education programs to promote the utilities’ public image enhancement at consumer expense. The programs should have input by stakeholders and oversight by the PUCO.

# III. CONCLUSION

Customer-funded energy efficiency programs involves balancing several interests. Customers have an interest in lowering their bills. Participating in utility-run energy efficiency programs can help achieve that goal, but it also comes at a cost to consumers. Many consumers pay for these programs but don’t participate in them because they can’t, don’t want to, or aren’t aware of them. And all residential consumers have been required to pay for utility profits and lost revenues/decoupling, none of which provide any direct benefits to consumers.

The Consumers’ Counsel supports the continuation of customer-funded programs, but only with appropriate protection for consumers. The primary protections involve limiting costs: eliminating utility profits, lowering annual rider charges, and increasing the effectiveness of programs by offering them through a statewide administrator instead of utilities. Also critical is increasing the number of customers who participate for each dollar spent. Energy efficiency dollars should be utilized in a way that helps as many customers as possible, especially low-income customers who might have less access to the otherwise effective competitive market for energy efficient products.

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**CERTIFICATE OF SERVICE**

I hereby certify that a copy of the foregoing Comments was served on the persons stated below via electronic transmission, this 25th day of November 2019.

/s/ *Christopher Healey*\_\_\_\_\_\_\_

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1. *See* Case No. 18-874-EL-RDR. [↑](#footnote-ref-2)
2. *See* Case No. 16-574-EL-POR (AEP); Case No. 16-576-EL-POR (Duke); Case No. 16-743-EL-POR (FirstEnergy); Case No. 17-1398-EL-POR (DP&L). [↑](#footnote-ref-3)
3. *In re Ohio Edison Co.*, 2019-Ohio-4196 (Slip Op.). [↑](#footnote-ref-4)
4. *See* Case No. 16-649-EL-POR, Application for Rehearing by the Office of the Ohio Consumers’ Counsel at 4-5 (Oct. 27, 2017). [↑](#footnote-ref-5)
5. *See* Case No. 16-574-EL-POR (AEP); Case No. 16-576-EL-POR (Duke); Case No. 17-1398-EL-POR (DP&L); Case Nos. 16-743-EL-POR and 14-1297-EL-SSO (FirstEnergy). Each of these numbers assumes a 21% effective tax rate. When these shared savings amounts were originally approved, an approximately 35% tax rate was assumed prior to the Tax Cuts and Jobs Act of 2017. [↑](#footnote-ref-6)
6. *See* Case No. 16-1309-GA-UNC. [↑](#footnote-ref-7)
7. *See* Case No. 14-1297-EL-SSO. [↑](#footnote-ref-8)
8. Case No. 19-1456-GA-RDR. [↑](#footnote-ref-9)
9. For example, if the weather is much colder after weatherization than before, the customer might use more natural gas. Or if the customer’s furnace was broken before weatherization, then the customer would not use much natural gas, but his or her house would be cold or would be relying on electric space heaters. [↑](#footnote-ref-10)
10. *See* Case No. 14-1297-EL-SSO, Opinion & Order (Mar. 31, 2016) (describing the original settlement, which included a “Retail Rate Stability Rider”). [↑](#footnote-ref-11)
11. *See* Case No. 14-1297-EL-SSO, Opinion & Order at 23 (agreeing to pursue 800,000 MWh of energy efficiency savings in exchange for signatures on a settlement, an amount which substantially exceeded the mandate); Opinion & Order at 28 (5% “administrative fee” to OPAE, equal to $300,000 per year). [↑](#footnote-ref-12)
12. *See, e.g.,* Efficiency Vermont, implemented several decades ago in Vermont as a statewide third-party administrator. [↑](#footnote-ref-13)
13. *See, e.g.,* <https://www.energy.gov/eere/wipo/whole-house-weatherization>. [↑](#footnote-ref-14)
14. At $6,000 per home, a $10 million program would help fewer than 2. [↑](#footnote-ref-15)
15. LIHEAP is the Low Income Home Energy Assistance Program. [↑](#footnote-ref-16)
16. As explained above, the Consumers’ Counsel supports the use of a third-party administrator to run programs statewide. The following recommendations would generally apply to a statewide administrator or to the continuation of utility-run programs. [↑](#footnote-ref-17)
17. The Consumers’ Counsel takes no position on how much utilities should spend on *nonresidential* energy efficiency programs, as long as residential customers are not subsidizing those programs. [↑](#footnote-ref-18)