**BEFORE**

**THE PUBLIC UTILITIES COMMISSION OF OHIO**

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| In the Matter of the Application of Ohio Edison Company, The Cleveland Electric Illuminating Company and The Toledo Edison Company for Approval of Tariff Amendments. | )  )  )  )  ) | Case No. 21-484-EL-ATA |

**REPLY COMMENTS**

**BY**

**OFFICE OF THE OHIO CONSUMERS’ COUNSEL**

The Office of the Ohio Consumers’ Counsel (“OCC”) recommended in its initial comments that the PUCO require FirstEnergy to immediately refund, in one bill credit, more than $26 million in “decoupling” charges to its consumers. In contrast, FirstEnergy proposed to return that money to consumers over 12 months.[[1]](#footnote-2) The PUCO Staff recommended a refund to customers over three months.[[2]](#footnote-3) But two million FirstEnergy consumers should wait no longer for their money from this tainted House Bill 6 charge. The PUCO should adopt OCC’s recommendation.

Further, in its initial comments, the Ohio Manufacturers’ Association Energy Group stated that “it is critical that the Commission require nothing less than full transparency from FirstEnergy.”[[3]](#footnote-4) The Office of the Ohio Consumers’ Counsel (“OCC”) concurs—transparency is essential for consumers. And FirstEnergy says elsewhere that transparency is important to it as well.[[4]](#footnote-5)

In that regard, the PUCO should require transparency in FirstEnergy’s communications with consumers. That means FirstEnergy should be ordered to accurately and plainly communicate to consumers the bill credit for the tainted “decoupling” charge.

OCC proposes that FirstEnergy include the following language in a bill insert for all residential consumers:

Over the last year, consumers paid FirstEnergy utilities more than $26 million in charges for “decoupling” under an Ohio law known as House Bill 6. The decoupling charge guaranteed revenues for FirstEnergy at consumer expense, even if its sales were lower than expected. Because of a scandal involving House Bill 6, the Ohio legislature repealed the decoupling charge. The legislature required the FirstEnergy utilities to “promptly” refund to consumers all amounts that they paid for decoupling. You will receive a credit on your monthly bill for the refund of the decoupling charge. If you have any questions about this credit, you can call the Public Utilities Commission of Ohio at 1-800-686-7826.

In addition, to promote transparency and consumer understanding, the decoupling credit to consumers should be separately identified as a line item on electric bills. The line item should be identified as a “House Bill 6 Decoupling Refund.”

OCC appreciates the PUCO’s consideration of our consumer protection proposals.

Respectfully submitted,

Bruce Weston (0016973)

Ohio Consumers’ Counsel

*/s/ Christopher Healey*

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**CERTIFICATE OF SERVICE**

I hereby certify that a copy of these Reply Comments was served on the persons stated below via electronic transmission, this 17th day of June 2021.

*/s/ Christopher Healey*

Christopher Healey

Assistant Consumers’ Counsel

The PUCO’s e-filing system will electronically serve notice of the filing of this document on the following parties:

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1. Application at 1 (Apr. 22, 2021). [↑](#footnote-ref-2)
2. PUCO Staff Review and Recommendation at 2 (June 16, 2021). [↑](#footnote-ref-3)
3. Comments of the Ohio Manufacturers’ Association Energy Group at 3 (June 7, 2021). [↑](#footnote-ref-4)
4. FirstEnergy Strategic Plan at 4, *available at* <https://www.firstenergycorp.com/content/dam/investor/files/FEstrategicplan.pdf>. [↑](#footnote-ref-5)