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**BEFORE
THE PUBLIC UTILITIES COMMISSION OF OHIO**

In the Matter of the Application of)
Columbus Southern Power Company for) Case No. 11-178-EL-UNC
Approval of a Change in Bill Format)

In the Matter of the Application of)
Columbus Southern Power Company to)
Establish New Experimental Rate) Case No. 10-424-EL-ATA
Schedule Classifications for Residential)
and Small General Service Time of Day)
Rates and Residential Experimental Direct)
Load Control Rider.)

**APPLICATION FOR REHEARING
BY
THE OFFICE OF THE OHIO CONSUMERS' COUNSEL**

The Office of the Ohio Consumers' Counsel ("OCC"), on behalf of the Applicant utility's 670,000 residential distribution customers, applies for rehearing from the Public Utilities Commission of Ohio's ("Commission" or "PUCO") January 27, 2011, expedited approval of Columbus Southern Power Company's ("CSP") proposed bill format filed in the above-captioned cases.¹ The approval of CSP's bill format is unreasonable in the following respects:

- A. The PUCO Failed To Ensure That CSP's Proposed Bill Format Is Clear And Understandable For Customers.
- B. The PUCO Failed To Ensure That CSP Is Not Enrolling PIPP Plus Customers On The Experimental Time-Of-Day Rate.
- C. The PUCO Failed To Ensure That Information Concerning The Bill Due Date, For Customers To Make Their Payments, Is Accurately Reflected On The Bill.

¹ The Application for Rehearing is filed pursuant to R.C. 4903.10 and Ohio Adm. Code 4901:1-35.

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The grounds upon which the automatic approval of CSP's proposed bill format is unreasonable are more fully explained in the attached Memorandum in Support.

Respectfully submitted,

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February 28, 2011

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MEMORANDUM IN SUPPORT

I. INTRODUCTION

On December 1, 2010, the Commission issued an Entry approving changes to Columbus Southern Power's ("CSP") service to allow for experimental service offerings of time-of-day ("TOD") service rates and direct load control (DLC) experimental service.² As noted in the December 1st Entry, the PUCO considered comments including those filed by OCC.³ The Commission ordered CSP to file copies of its tariff to accommodate the new service offerings and update the language on its bills to reflect such changes. CSP's initial application, filed on January 13, 2011, sought approval for a proposed bill format change, to replace the existing references to "On-Peak Generation"

² *In re the Application of Columbus Southern Power Company to Establish New Experimental Rate Schedule Classifications for Residential and Small General Service Time of Day Rates and Residential Experimental Direct Load Control Rider*, Case No. 10-424-EL-ATA, Entry ("10-424 Case") (December 1, 2010).

³ *Id.* at paragraph 3.

and “Off-Peak Generation” with “High Cost Hours” and “Low Cost Hours” under the “Generation” subheading.⁴ CSP also requested an expedited ruling on its application.⁵

On January 27, 2011, the Commission approved CSP’s proposed bill format changes. In the interest of CSP’s residential customers, the PUCO should order CSP to modify its bill format to accommodate the changes recommended by OCC, based on the reasons set forth below.

II. ARGUMENT

A. The PUCO Failed To Ensure That CSP’s Proposed Bill Format Is Clear And Understandable For Customers.

Ohio Adm. Code 4901:1-10-22(B) requires that bills for electric service “shall contain clear and understandable form and language” for customers. The proposed CSP bill format, however, is far from clear and understandable. The Company fails to define the terms that are used on the new bill format.

For example, the new bill reflects the fact that there are high cost hours and low cost hours. But the bill does not reference the *specific* hours in which electricity costs are high and when the costs are low. (Emphasis added.) Specifically, the time-of-day experimental service offering enables customers during the summer months to be charged a lower cost for generation during the hours of midnight to 1:00 PM and 7:00 PM to midnight.⁶ Customers should be able to see this additional pricing information on their

⁴ The Commission’s Entry of January 27, 2011, approved only the TOD-related format changes.

⁵ While CSP did not cite authority for an expedited ruling, it can be noted that Ohio Adm. Code 4901-1-12(C) applies to requests for expedited rulings on *motions*, not Applications.

⁶ *In the Matter of the Application of Columbus Southern Power Company to Establish New Experimental Rate Schedule Classifications for Residential and Small General Service Time of Day Rates and Residential Experimental Direct Load Control Rider*, Case 10-424-EL-ATA., Finding and Order, December 1, 2010, at p. 2 (footnote 2).

bills in order to enable them to modify their energy usage to achieve optimal savings on their bills.

In addition, while the *total* generation price is reflected for the high-cost and low-cost times, the actual rates charged during the high-cost as compared to low-cost times are not provided. (Emphasis added). Customers, therefore, will be unaware of the specific rates charged per kWh and the potential bill impact that the time-of-day usage variation has on their rates. The Commission should require CSP to show on its bills to customers the specific times when low costs and high costs apply for purchasing generation. Such information should be included in the definitions section of the bill. The Commission should also require CSP to provide the rate for generation that will be charged during the low-cost and high-cost times.

B. The PUCO Failed To Ensure That CSP Is Not Enrolling PIPP Plus Customers On The Experimental Time-Of-Day Rate.

The Finding and Order approving the CSP experimental time of day service option specifically excluded PIPP Plus customers from participating in the program at this time.⁷ However, the proposed bill format includes a reference to a “PIP Amount Due.” By proposing a bill format that includes a reference to the percentage of income payment program, CSP might intend or perceive that the PUCO’s ruling granting the Application allows for marketing the program to PIPP customers and enrolling PIPP customers (despite the PUCO’s prior ruling that CSP could not do so). The Commission should verify that CSP is not enrolling PIPP customers on the experimental time-of-day service offering. OCC is concerned that CSP is enrolling PIPP customers in the

⁷ Id. at 10.

experimental TOD service offering because the AEP message on the bill is targeted specifically towards PIPP customers.

C. The PUCO Failed To Ensure That Information Concerning The Bill Due Date, For Customers To Make Their Payments, Is Accurately Reflected On The Bill.

The proposed bill format includes a reference on the bottom of several pages that the “Due date does not apply to the Previous Balance Due.” In addition the language being superfluous and not referring a specific previous balance due, the Commission should recognize that the message may cause confusion and uncertainty about what payment is required and by what date such payment is due. OCC recommends that the Commission provide for CSP, the PUCO Staff and OCC to endeavor to resolve the appropriate wording. The language differs from prior bill formats approved by the Commission.⁸ In the event the wording cannot be resolved, any interested party should have the right to raise the matter formally with the PUCO.

III. CONCLUSION

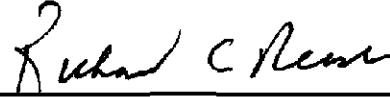
As discussed herein, the bill format attached to the Application does not comply with the Commission’s rules for bill formats including the requirement to “contain clear and understandable form and language.”⁹ To protect consumers, the Commission should adopt OCC’s comments and recommendations, and require CSP to submit an updated, revised version of its bill format.

⁸ These prior bill formats were also reviewed by OCC.

⁹ Ohio Adm. Code 4901:1-10-22(B).

Respectfully submitted,

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CONSUMERS' COUNSEL



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CERTIFICATE OF SERVICE

It is hereby certified that a true copy of the foregoing *Application for Rehearing* by the Office of the Ohio Consumers' Counsel was served by regular U.S. Mail to the persons listed on the electronic service list, stated below, this 28th day of February, 2011.



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