

BEFORE

THE PUBLIC UTILITIES COMMISSION OF OHIO

In the Matter of the Application of the)
Ohio Development Services Agency for an)
Order Approving Adjustments to the) Case No. 15-1046-EL-USF
Universal Service Fund Riders of)
Jurisdictional Ohio Electric Distribution)
Utilities.)

ENTRY

The attorney examiner finds:

- (1) On May 29, 2015, the Ohio Development Services Agency (ODSA) filed a notice of intent (NOI) to file an application to adjust the Universal Service Fund (USF) riders of all Ohio jurisdictional electric distribution utilities, namely, Cleveland Electric Illuminating Company (CEI), Dayton Power and Light Company (DP&L), Duke Energy Ohio Inc. (Duke), Ohio Edison Company (OE), Ohio Power Company (OP),¹ and Toledo Edison Company (TE) (collectively, electric utilities or EDUs), in accordance with R.C. 4928.52. Electric distribution utilities, as defined in R.C. 4928.01(A)(6), and public utilities, as defined in R.C. 4905.02, are subject to the jurisdiction of this Commission. As such, the above noted EDUs should be joined as indispensable parties to this proceeding.
- (2) On December 10, 2014, the Commission approved the current USF rider rates for each of the EDUs to be effective, on a bills-rendered basis, with the January 2015 billing cycle. The specific 2015 USF rider rates approved by the Commission in its December 10, 2014, Order were:

¹ By Entry issued on March 7, 2012, the Commission approved and confirmed the merger of Columbus Southern Power Co. (CSP) into OP, effective December 31, 2011. The USF rates of OP and CSP have not been consolidated. *In re AEP Ohio*, Case No. 10-2376-EL-UNC, Entry (Mar. 7, 2012).

Electric Utilities	First 833,000 Kwh	Above 833,000 Kwh
CEI	\$0.0031614	\$ 0.0005680
CSP rate zone	\$0.0049462	\$ 0.0001830
DP&L	\$0.0022928	\$ 0.0005700
Duke	\$0.0020040	\$ 0.0004690
OE	\$0.0027121	\$ 0.0010461
OP	\$0.0061835	\$ 0.0001681
TE	\$0.0028512	\$ 0.0005610

In re ODSA, Case No. 14-1002-EL-USF (2014 USF Case), Opinion and Order (Dec. 10, 2014) at 8, 12.

- (3) R.C. 4928.52(B) provides that if, during or after the five-year market development period, ODSA, after consultation with the Public Benefits Advisory Board, determines that revenues in the USF and revenues from federal or other sources of funding for those programs will be insufficient to cover the administrative costs of the low-income customer assistance programs and the consumer education program and provide adequate funding for those programs, ODSA shall file a petition with the Commission for an increase in the USF riders. The Commission, after reasonable notice and opportunity for hearing, may adjust the USF riders by the minimum amount necessary to provide additional revenues.
- (4) In *2014 USF Case*, the Commission approved the Joint Stipulation and Recommendation (2014 Adjustment Stipulation) signed by all the parties to the proceeding, except Staff. Although Staff did not sign the 2014 Adjustment Stipulation, they did not oppose the Stipulation. The 2014 Adjustment Stipulation provided, among other things, that ODSA would file a notice of its intent to apply for the annual USF rider adjustment by no later than May 31, 2015, stating the proposed methodology for determining the USF adjustment, in order to allow parties the opportunity to pursue issues that they may wish to raise.
- (5) In accordance with the terms of the 2014 Adjustment Stipulation approved by the Commission in the *2014 USF Case*, ODSA filed the above-captioned NOI to file an application requesting that each of the USF riders be adjusted

to more accurately reflect the current costs of operating the Percentage of Income Payment Plan-Plus, the Electric Partnership Program (including consumer education) and associated administrative costs.

- (6) According to its NOI, ODSA plans to employ a USF rider revenue requirement and rate design methodologies significantly similar to that approved by the Commission in *2014 USF Case* and prior USF proceedings. As in previous USF applications, ODSA proposes to incorporate a two-step declining block rate design of the type that has been approved by the Commission in all prior ODSA applications.
- (7) The 2014 Adjustment Stipulation, approved in the *2014 USF Case*, provides that the Commission will, following ODSA's filing of the NOI, establish a schedule for the filing of objections or comments, responses to the objections or comments, a schedule for discovery, the filing of testimony and the date to commence the hearing on the NOI. Accordingly, the following procedural schedule is established in this case:

File objections or comments	July 6, 2015
File motions to intervene	July 6, 2015
Prehearing conference	Upon request of any party
File responses to objections and comments	July 13, 2015
Discovery completion	July 20, 2015
File Direct Testimony	July 27, 2015
File Reply Testimony	August 4, 2015
Evidentiary Hearing	August 19, 2015
File Post-Hearing Briefs	August 26, 2015
File Reply Briefs	September 2, 2015

- (8) Any interested person wishing to intervene in this proceeding shall file a motion to intervene on or before July 6, 2015. All Ohio jurisdictional EDUs shall be joined as indispensable parties to this proceeding. Further, any interested party wishing to file objections/comments concerning the proposed rate design methodology is directed to file the objections/comments on or before July 6, 2015. Any reply comments must be filed on or before July 13, 2015.

- (9) This matter will be set for a prehearing conference, upon the request of one or more of the parties to the case. The purpose of a prehearing conference would be to permit the parties to discuss any issues they may have concerning this application.
- (10) This matter should be set for an evidentiary hearing on August 19, 2015, at 10:00 a.m., in Hearing Room C, 11th floor, at the offices of the Commission, 180 East Broad Street, Columbus, Ohio 43215.

It is, therefore,

ORDERED, That all Ohio jurisdictional EDUs be joined as indispensable parties to this proceeding. It is, further,

ORDERED, That interested persons wishing to intervene in this proceeding file a motion to intervene on or before July 6, 2015. It is, further,

ORDERED, That any interested party wishing to file objections/comments concerning the proposed rate design methodology file the objections/comments on or before July 6, 2015, and file reply comments on or before July 13, 2015. It is, further,

ORDERED, That the parties adhere to the case schedule as set forth in Finding (7). It is, further,

ORDERED, That the evidentiary hearing commence as set forth in Finding (10). It is, further,

ORDERED, That a copy of this Entry be served on all parties of record in this case, as well as all parties of record in Case No. 14-1002-EL-USF.

THE PUBLIC UTILITIES COMMISSION OF OHIO

s/Greta See

By: Greta See
Attorney Examiner

JRJ/sc

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in

Case No(s). 15-1046-EL-USF

Summary: Attorney Examiner Entry orders all Ohio jurisdictional EDUs be joined as indispensable parties to this proceeding; orders interested persons wishing to intervene to file a motion on or before 07/06/2015; orders any interested party wishing to file objections/ comments concerning proposed rate design methodology to file them on or before 07/13/2015; orders the parties to adhere to the case schedule set forth in Finding (7); schedules the evidentiary hearing as set forth in Finding (10). - electronically filed by Sandra Coffey on behalf of Greta See, Attorney Examiner, Public Utilities Commission of Ohio