

**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 Universal Service	)	Case No. 16-1223-EL-USF
Fund Riders of Jurisdictional Ohio Electric	)	
Distribution Utilities.	)	

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**OHIO DEVELOPMENT SERVICES AGENCY’S  
RESPONSE TO THE OBJECTIONS AND COMMENTS OF  
THE KROGER CO.**

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The Ohio Development Services Agency (“ODSA”) initiated the above-captioned proceeding on May 31, 2016 by filing a Notice of Intent (“NOI”) pursuant to the stipulation approved by the Public Utilities Commission of Ohio (“Commission”) in ODSA’s prior universal service fund (“USF”) case.<sup>1</sup> The NOI describes the revenue requirements and rate design methodologies ODSA proposes to use in preparing its 2016 USF rider rate adjustment application for the 2016 calendar year. In accordance with the procedural schedule established by the attorney examiner’s entry of June 2, 2016 in this docket, The Kroger Co. (“Kroger”) filed objections to the NOI on July 1, 2016.

In the NOI, ODSA proposes to retain the traditional two-step declining block rate design that the Commission has approved in prior proceedings.<sup>2</sup> Neither Kroger, nor any other party, has objected to retaining this rate design in this proceeding. Rather, Kroger’s objection presents

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<sup>1</sup> See *In the Matter of the Application of the Ohio Development Services Agency for an Order Approving Adjustments to the Universal Service Fund Riders of Jurisdictional Ohio Electric Distribution Utilities*, Case No. 15-1046-EL-USF, Opinion and Order (December 16, 2015).

<sup>2</sup> Id.

the narrow issue of whether the second block of the rate design should be made available to mercantile customers, as defined in R.C. 4928.01(A)(19).<sup>3</sup>

ODSA notes that Kroger's recommendation appears to be at the broad conceptual level. Kroger has not presented information as to how its proposal would be implemented and the number of mercantile customers affected nor has it presented information on how the proposal would impact Ohio's electric distribution utilities and other ratepayers. ODSA is not in a position to make a recommendation on the proposal at this time.

Respectfully submitted on behalf of  
Ohio Development Services Agency



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Dane Stinson  
BRICKER & ECKLER LLP  
100 S. Third Street  
Columbus, OH 43215-4291  
Telephone: (614) 227-4854  
Facsimile: (614) 227-2390  
E-Mail: dstinson@bricker.com

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<sup>3</sup> Kroger Objections at 6.

## CERTIFICATE OF SERVICE

I hereby certify that a true copy of the foregoing Response has been served upon the following parties by electronic mail and/or first class mail, postage prepaid, this 8<sup>th</sup> day of July 2016.



Dane Stinson

Steven T. Nourse  
Matthew J. Satterwhite  
American Electric Power Corporation  
1 Riverside Plaza, 29th Floor  
Columbus, Ohio 43215  
mjstatterwhite@aep.com  
stnourse@aep.com

Elizabeth H. Watts  
Duke Energy Ohio, Inc.  
155 East Broad Street  
Columbus, OH 43215  
Elizabeth.watts@duke-energy.com

Carrie Dunn  
FirstEnergy Corp.  
76 South Main Street  
Akron, Ohio 44308  
cdunn@firstenergycorp.com

Randall V. Griffin  
Judi L. Sobecki  
Michael J. Schuler  
The Dayton Power & Light Company  
MacGregor Park  
1065 Woodman Avenue  
Dayton, Ohio 45432  
randall.griffin@dplinc.com  
judi.sobecki@dplinc.com  
Michael.Schuler@aes.com

Sam Randazzo  
Frank P. Darr  
Matthew R. Pritchard  
McNees Wallace & Nurick LLC  
21 East State Street, 17<sup>th</sup> Floor  
Columbus, OH 43215  
fdarr@mwncmh.com  
sam@mwncmh.com  
mpritchard@mwncmh.com

William L. Wright  
Thomas McNamee  
Section Chief, Public Utilities Section  
Public Utilities Commission of Ohio  
180 East Broad Street, 6<sup>th</sup> Floor  
Columbus, Ohio 43215  
William.Wright@puc.state.oh.us  
Thomas.McNamee@puc.state.oh.us

Ajay Kumar  
Ohio Consumers' Counsel  
10 West Broad Street  
Suite 1800  
Columbus, Ohio 43215-3485  
Ajay.kumar@occ.state.oh.us

Colleen L. Mooney  
Ohio Partners for Affordable Energy  
PO Box 1793  
231 West Lima Street  
Findlay, Ohio 45839-1793  
cmooney@ohiopartners.org

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Summary: Response to Objections electronically filed by Dane Stinson on behalf of Ohio Development Services Agency