

**BEFORE
THE PUBLIC UTILITIES COMMISSION OF OHIO**

In the Matter of the Commission’s)	
Review of Ohio Adm. Code Chapter)	Case No. 17-1842-EL-ORD
4901:1-10)	

REPLY COMMENTS OF OHIO POWER COMPANY

INTRODUCTION

Pursuant to Public Utilities Commission of Ohio’s (“Commission”) Entry filed July 17, 2019 (“Entry”), Ohio Power Company (“AEP Ohio” or the “Company”) respectfully submits these reply comments regarding proposed changes to Ohio Adm.Code 4901:1-10.

REPLY COMMENTS

4901:1-10-01 Definitions

The Company disagrees with The Office of the Ohio Consumers’ Counsel’s (“OCC”) proposed definition of “momentary outages” because it is duplicative of Ohio Adm.Code 4901:1-10-01(V).

AEP Ohio supports Dayton Power and Light’s (“DP&L”) and Ohio Edison Company, the Cleveland Electric Illuminating Company, and the Toledo Edison Company’s (collectively “First Energy”) Initial Comments opposing the inclusion of transmission outages in the definition of “major events.” As DP&L and First Energy accurately state, this proposed change is inconsistent with other provisions of the Ohio Administrative Code and precedent. As such, Ohio Adm.Code 4901:1-10-01(T) should remain unchanged.

AEP Ohio disagrees with DP&L’s proposed “small commercial customer” definition. The Company has General Service- Medium/High Load Factor customers that are neither small

commercial nor mercantile customers. Therefore, this proposed definition would not be an accurate classification of the Company's customers.

The Company reiterates its position that the Commission should reject Staff's proposed Ohio Adm.Code 4901:1-10-22(K). If the Commission rejects the proposed language, the Company notes there is no reason to adopt definitions for non-commodity goods or services.

Finally, the Company disagrees with the Joint Comments provided by the Retail Energy Supply Association ("RESA") and Direct Energy Business, LLC ("Direct") claiming that an electric distribution utility ("EDU") is statutorily prohibited from offering a non-commodity good or service. To the extent RESA and Direct propose such a prohibition on EDUs, the Company opposes that prohibition and, should the Commission recognize such a prohibition, the Company recommends the prohibition apply to equally to CRES providers.

4901:1-10-05 Metering

AEP Ohio opposes OCC's recommendation that electric utilities be required to obtain an actual read of a meter four times per year. The Company already endeavors to read every meter each month, making this requirement unnecessary. Additionally, this revision would require the Company take an actual read of a meter in instances where it would otherwise estimate the customer's usage due to safety concerns or the customer denying the Company access to the meter. Thus, OCC's proposal would increase costs and place Company personnel in potentially dangerous situations to ensure three extra meter reads a year, which provide little to no benefit to customers. Given the lack of benefits to customers, the fact the Company attempts to read each meter every month, the increase in cost, and the potential danger to Company personnel, AEP Ohio recommends leaving Ohio Adm.Code 4901:1-10-05(I)(1) unchanged.

The Company agrees with DP&L's proposition that the Commission should not adopt Staff's proposed changes to Ohio Adm.Code 4901:1-10-05(J)(1) that would allow customers to retain their current meter if they elect to opt out of advanced metering service. As such, the Company supports DP&L's suggested revisions in conjunction with the Company's proposed revisions to this section.

4901:1-10-07 Outage Reports

AEP Ohio agrees with Duke Energy of Ohio, Inc.'s ("Duke") and First Energy's Initial Comments regarding Ohio Adm.Code 4901:1-10-07. The proposed changes to the definition of "outage" would significantly increase the burden on EDUs and the Commission without providing any commensurate benefit. As such, the Commission should reject Staff's proposed changes.

4901:1-10-08 Electric Utility Emergency Plans and Coordination for Restoration of Electric Service.

AEP Ohio disagrees with OCC's proposed changes to Ohio Adm.Code 4901:1-10-08. First, OCC's proposal requiring electric utilities to identify circumstances where their emergency plan will be implemented and that the emergency plan be kept on-site at the Commission are unnecessary. The Company already provides the Commission the opportunity to review its emergency plan upon request. Additionally, given the frequent modifications the Company makes to its emergency plan, requiring the Company to provide the Commission with a copy of its emergency plan after every change would be costly and provide no benefit to customers. Thus, the Company would oppose these proposed changes as unduly burdensome with no commensurate benefits to customers.

Further, the Company opposes OCC's suggestions that electric utilities be required to update the list of critical customers at least quarterly, maintain contact information of care

providers, and inform the care provider of planned and sustained outages. These proposed changes create a significant administrative burden on the utilities as the list of critical customers and care providers change daily. Further, this proposed requirement also presents potential HIPPA concerns and OCC has not indicated how these proposed changes would provide customers any benefit other than those provided under the current rules. As such, the Commission should reject these proposed changes.

4901:1-10-09 Minimum Customer Service Levels

AEP Ohio strongly supports First Energy's Initial Comments regarding Staff's proposed changes to Ohio Adm.Code 4901:1-10-09(A)(5). The proposed revisions would create additional reporting requirements that are unduly burdensome and, therefore, should be rejected.

The Company disagrees with DP&L's proposed inclusion of a thirty-minute threshold in Ohio Adm.Code 4901:1-10-09(B)(5). Although this revision may reduce the instances requiring the utility notify the appropriate parties, the new language imposes the additional burden of tracking the time the utility is unable to accept inbound calls. Additionally, this threshold would not significantly reduce the burden Staff's proposed changes place on the utility. Thus, this requirement is similarly unduly burdensome and should be rejected.

4901:1-10-10 Distribution System Reliability

AEP Ohio strongly opposes OCC's proposed addition of a Momentary Average Interruption Frequency Index ("MAIFI"). In many instances, a momentary outage actually indicates that the system is operating properly. Further, the Company does not have the capability of tracking and compiling data related to momentary outages. The Commission's rules also acknowledge the impracticability of providing data related to momentary interruptions. Ohio Adm.Code 4901:1-10-10(C)(4) states that the utility's annual report shall include, "[d]ata for the

total number of momentary interruptions on the electric utility's system *where practical*.”

Finally, the Company is already required to report CAIDI and SAIFI, which more accurately represent the health of the distribution system. As such, requiring the utility to provide MAIFI data is overly burdensome, operationally impractical, and does not accurately represent the reliability of the system.

OCC also represents that SAIDI is inclusive of momentary interruptions. The Company would note that SAIDI does not include momentary interruption data as SAIDI is SAIFI multiplied by CAIDI. Thus, to the extent OCC purposes inclusion of momentary outages in SAIDI, the Company opposes that suggestion.

AEP Ohio also opposes OCC's revisions requiring EDUs to file their action plan with their annual reports and update their action plan quarterly. Requiring the Company to update its action plan quarterly is unduly burdensome and there is no benefit associated with the utility publically filing its action plan. The Commission should reject this proposed change.

The Company agrees with Duke's that the Commission should not use CAIDI for benchmarking a utility's reliability performance. While AEP Ohio agrees that SAIFI and SAIDI are better performance benchmarks than CAIDI, the Company believes the most appropriate measure of performance is SAIDI.

4901:1-10-11 Distribution Circuit Performance

AEP Ohio opposes OCC's recommendation that electric utilities be required to file their Rule 11 reports in a Commission docket. The Company does not see a reason to change the current rules, there is no benefit to customers in making this information publically available, and making the documents public would only create customer confusion.

AEP Ohio further strongly opposes OCC's proposed changes creating a rebuttable presumption of a violation of Ohio Adm.Code 4901:1-10-11 after a circuit appears on the utility's Rule 11 report two consecutive years. A two-year requirement is operationally impractical. This proposed two-year time frame does not provide the Company enough time to identify the circuit, create an action plan, take remedial measures, and confirm the remediation efforts have adequately addressed the issues on the circuit. The current three-year requirement is reasonable and the Commission should reject OCC's proposed change.

4901:1-10-12 Provision of Customer Rights and Obligations

The Commission should reject OCC's proposed revisions, which would require electric utilities to provide an annual bill insert containing a summary of a customer's rights and obligations. The Company already provides customers with this summary upon their application for service. Requiring the Company to provide this information annually is unduly burdensome, provides little benefit to customers, and creates significant additional costs.

For similar reasons, the Company opposes RESA and Direct's proposal requiring the customer bill of rights inform customers of their options for generation service and OCC's proposed changes affirmatively requiring electric utilities to inform customer about alternative rates and service options. The Company already notifies customers of their ability to shop for generation service and provides that information on Company's website. Further, information about alternative rates and service options is readily available on the Commission and Company's websites. These revisions are unnecessary and should be rejected.

AEP Ohio agrees with DP&L's suggested changes to Ohio Adm.Code 4901:1-10-12(F)(1)(d) and (F)(3) to facilitate seamless move. AEP Ohio also agrees with DP&L's

suggested revisions to Ohio Adm.Code 4901:1-10-12(F)(3) provided there is additional security to accommodate the electronic authorization proposed.

4901:1-10-14 Establishment of Credit for Nonresidential Applicants and Customers

AEP Ohio agrees with First Energy and DP&L's revisions removing references to residential customers from this section.

4901:1-10-19 Delinquent Residential Bills

The Commission should reject DP&L's suggested revision that excludes CRES charges from a disconnection notice. If the disconnection notice does not include past due CRES charges and the customer pays only the past due EDU charges, they will still be disconnected because of the payment posting priorities in Ohio Adm.Code 4901:1-10-22 and 4901:1-10-33.

4901:1-10-22 Electric Utility Customer Billing and Payments

The Company opposes a requirement that an electric utility separately state every rider and/or be required to disclose the cost of a rider providing direct reliability benefits to customers on a customer bill. As OCC admits, listing every rider on a customer bill would be unreasonable. The Company further disagrees that implementing a threshold for determining which rider charges the Company is required to include on the bill would reduce the burden or provide any benefit to customers. OCC's stated objective here is to provide transparency and allow customers to independently verify their bills. However, excluding certain rider charges would not serve either goal. Therefore, the Commission should reject these proposed changes because they are unreasonable, unduly burdensome, create customer confusion, and provide no commensurate benefit to customers.

AEP Ohio also disagrees strongly with the suggestion that it should be required to provide customers with a shadow bill. This requirement is costly, unnecessary, and confusing for

customers. AEP Ohio reiterates its initial comments that CRES charges should be stated as a cents/kWh for all charges associated with CRES service. This would allow a customer to readily compare its price-to-compare from the EDU to the price it is paying the CRES provider, which provides the information OCC is seeking but in a less costly way that should be readily available from the CRES provider.

While AEP Ohio is not opposed to trying to quantify the amount of money customers save or spend due to shopping, EDUs are unable to provide that information to customers. EDUs only have rate information for customers that are billed under a rate-ready scenario. If customers are billed under bill ready or dual billing, the EDU does not know the rates charged by a CRES provider and, therefore, cannot quantify how much customers are saving or spending.

AEP Ohio supports Staff's efforts to modify the rules to accommodate prepaid service. The Company believes that prepaid service should be voluntarily and the Company intends to provide prepaid service only to customers who elect to participate. Recognizing RESA and Direct's point that the Ohio Revised Code does not currently permit prepaid billing, the Company still supports adopting Staff's proposed changes now to provide a path for providing prepaid service in the future. Further, the Company supports the approval of Staff's recommended changes because prepaid service provides significant benefits to customers. Specifically, with prepaid service, a customer will not be subject to required security deposits, late or disconnect fees, or requirements that the customer pay full amount of prior arrearages prior to enrollment. Prepaid service also provides for customers control over payment amount and timing, which increases customer satisfaction. With respect to notice before disconnection, as AEP Ohio stated in its initial comments, we believe prepaid service customers should be given 24 hours before any service is disconnected. Additionally, the Company would propose the

program be set up such that disconnections would only occur during normal business hours and never on holidays.

However, the Company disagrees with Interstate Gas Supply, Inc.'s ("IGS") proposition that all customer should have the ability to enroll in prepaid service. Practically, the EDU can only offer prepaid service when they know the customer's rates. If a customer is billed under bill-ready or supplier consolidated bill, the EDU does not know the CRES rates to factor into the prepaid program. Therefore, the EDU could only offer prepaid service to SSO customers and customers that are billed under a rate-ready billing option.

The Company agrees with Duke's comments opposing Staff's prohibition on including non-commodity goods or services on a customer's bill. As such, the Company would recommend the Commission reject Staff's proposed Section K and continue to permit non-commodity goods and services to be included on customer bills.

Finally, the Company agrees that an EDU should not be responsible for a third party's actions when a customer provides that third party access to their data. As such, AEP Ohio supports DP&L's suggested revisions to Ohio Adm.Code 4901:1-10-22(I)(4) (formerly OAC 4901:1-10-22(H)).

4901:1-10-24 Customer Safeguards and Information

AEP Ohio disagrees with OCC's suggestion that the Commission should audit EDUs' privacy policies and practices. The Company takes all necessary precautions to protect customer information. Further subjecting EDUs to annual audits on its privacy policies and practices is unduly burdensome and seeks to provide a solution without a problem. Thus, the Commission should reject OCC's proposed Ohio Adm.Code 4901:1-10-24(F)(6).

AEP Ohio believes Staff's suggestion of putting a block on a customer's account is appropriate to enhance consumer protections. While First Energy Solutions Corp. ("FES"), Direct and RESA assume the block is a protection against slamming and argue there is no evidence of slamming in Ohio, AEP disagrees and believes that staff's suggestion is a needed protection for at-risk populations. Staff's proposal would allow a customer, or a customer's family, to place a block on an account to prohibit switching to prevent a CRES provider from switching a vulnerable customer when the customer unknowingly or mistakenly provides the CRES provider their account number.

FES further claims Staff's proposal is contrary to Ohio's goal to encourage competition. The blocking feature could be placed on either an SSO account or an account that has already switched to a CRES Provider. The blocking feature can also protect a customer from accidentally breaking a CRES contract. For example, if a customer locks into a two-year contract with a \$200 exit fee for example, they may want to make sure they do not accidentally trigger the \$200 exit fee and therefore would want to put a block on their account. Thus, the blocking feature allows customers to better manage their accounts and protects at-risk customers. It does not operate to discourage completion.

AEP Ohio agrees with DP&L's proposed addition of Ohio Adm.Code 4901:1-10-24(E)(1)(d).

AEP Ohio shares First Energy's concerns with Staff's proposed revisions to 4901:1-10-24(F)(4) and would reiterate that customer specific information should not be required to be published on the Company's website and, therefore, the Commission should reject Staff's revisions to this section.

AEP Ohio agrees with IGS's proposed revision to Ohio Adm.Code 4901:1-10-24(D)(1) making that section applicable to CRES and utilizing the term "nonelectric product service." The Company believes this change is necessary to clarify that failure to pay a non-commodity good or service should not subject the account to disconnection.

4901:1-10-27 Inspection, Maintenance, Repair, and Replacement of Transmission and Distribution Facilities (Circuits and Equipment)

AEP Ohio opposes publically filing reports required under Ohio Adm.Code 4901:1-10-27(C)(2). This requirement provides no benefits to customers, will create customer confusion, and is otherwise unnecessary.

The Company agrees with DP&L that further clarification on Ohio Adm.Code 4901:1-10-27(D)(1) is needed.

4901:1-10-29 Coordinating with CRES Providers

For the reasons outlined above, the Company suggests that the Commission reject DP&L's definition of "small commercial customer."

4901:1-10-33 Billing Adjustments

For the same reasons outlined in support of Staff's revisions to accommodate prepaid service, AEP Ohio agrees with Staff's revisions to Ohio Adm.Code 4901-10-33.

AEP Ohio supports DP&L's proposed changes to Ohio Adm.Code 4901-10-33(K)(4) to provide consistency with the proposed revisions to Ohio Adm.Code 4901-10-22.

AEP Ohio agrees with Duke that the proposed Ohio Adm.Code 4901:1-10-33(L) should be rejected for the same reasons outlined in the Duke's comments opposing the prohibition on including non-commodity goods and service on a customer's bill.

Respectfully submitted,

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CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing was filed electronically through the Docketing Information System of the Public Utilities Commission of Ohio on this 30th day of August, 2019. The PUCO's e-filing system will electronically serve notice of the filing of this document on counsel for all parties.

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Summary: Comments -Reply Comments of Ohio Power Company electronically filed by
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