

**BEFORE  
THE PUBLIC UTILITIES COMMISSION OF OHIO**

In the Matter of the Motion to Suspend	)	
of Columbia Gas of Ohio, Inc. for	)	
Procedures and Process During the	)	
Declared State of Emergency and	)	Case No. 20-637-GA-UNC
Related Matters.	)	
	)	

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**COMMENTS FOR ADDITIONAL CONSUMER PROTECTIONS REGARDING THE  
TEMPORARY PLAN OF COLUMBIA GAS TO ADDRESS  
THE CORONAVIRUS EMERGENCY  
BY  
THE OFFICE OF THE OHIO CONSUMERS' COUNSEL**

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## **TABLE OF CONTENTS**

	<b>PAGE</b>
I. INTRODUCTION .....	1
II. BACKGROUND .....	4
III. RECOMMENDATIONS .....	5
A. To protect consumers, all disconnections for non-payment should be suspended until a reasonable period after the coronavirus State of Emergency has ended.....	5
B. To protect consumers, Columbia should reconnect customers who were disconnected for non-payment, thirty days or more before March 9, 2020.....	7
C. The PUCO should require Columbia to extend additional consumer protections for low-income consumers enrolled in the Percentage of Income Payment Plan (“PIPP”). .....	7
D. The PUCO should require Columbia to offer extended payment plans through 2021 or until the emergency is over (whichever is later).....	8
E. To protect consumers, Columbia should not be permitted to lessen safety standards when person-to-person contact is unlikely. ....	9
F. The PUCO should require Columbia to make publicly available for consumers, on its website and elsewhere, the details of its Emergency Plan information for transparency and the protection of their interests as customers.....	10
IV. FOR CONSUMER PROTECTION, THE PUCO SHOULD NOT APPROVE POTENTIAL COLUMBIA CHARGES TO CONSUMERS UNLESS, AT A MINIMUM, ANY CHARGES PROPOSED BY COLUMBIA ARE FOR COSTS THAT ARE PRUDENT, NECESSARY, AND MEET OTHER RATEMAKING STANDARDS. ....	11
V. FOR CONSUMER PROTECTION, THE PUCO SHOULD ADDRESS IN COLUMBIA’S EMERGENCY PLAN SPECIFIC CHARGES THAT SHOULD BE WAIVED, CONFORMING DEFERRALS TO STRICT REGULATORY STANDARDS, TRACKING OF COLUMBIA’S COST SAVINGS FOR LATER OFFSET AGAINST CHARGES TO CONSUMERS, AND AVOIDANCE OF DUPLICATIVE (DOUBLE) CHARGES.....	11
VI. THE PUCO SHOULD ORDER THAT COLUMBIA ADOPT ADDITIONAL CONSUMER PROTECTIONS IN ITS EMERGENCY PLAN.....	13

A.	The PUCO should order Columbia to repurpose low-income weatherization funds for bill payment assistance during the emergency, and for a reasonable period thereafter. ....	13
B.	Consumers’ personal information should be protected. ....	14
C.	Work on, and charges for, “non-essential” utility services should be suspended (and associated costs should be saved and used to offset costs Columbia incurs because of the emergency) until the emergency ends (or the PUCO determines otherwise).....	15
D.	Other consumer protection considerations.....	16
VII.	CONCLUSION.....	16

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**I. INTRODUCTION**

Ohio consumers are facing perilous times – a health crisis and an ensuing personal-finance crisis. The harm to Ohioans from these crises will persist for some time, potentially years, after the formal health emergency ends. In Ohio, even before the crisis, residents already were at risk with poverty at 14% of the population and food insecurity at 14.5% of the population, with a number of Ohio cities above 30% poverty. These already dire circumstances are now greatly magnified for people. Unemployment in the country is now considered the worst since the Great Depression.

Against this backdrop of human suffering, the Public Utilities Commission of Ohio (“PUCO”) rightfully ordered public utilities to file plans for the protection of their customers. Columbia Gas of Ohio (“Columbia”) then filed its proposals on March 18, 2020, for assisting its 1.4 million natural gas customers during the health emergency.

Columbia’s proposals are appreciated. But additional protections are needed for its consumers during the formal health crisis and for a reasonable time after the formal crisis ends.

In these Comments, the Office of the Ohio Consumers' Counsel ("OCC") will describe additional consumer protections that the PUCO should adopt. The PUCO is addressing and should further address the fact that, for a great many Ohio families and businesses, their money is gone.

On April 15, 2020, the editorial board of The New York Times published an editorial under the headline, "Stop Dawdling. People Need Money."<sup>1</sup> The Times editorial included the following words about the current suffering of Americans:

The economic shutdown caused by the coronavirus has left a growing number of American families desperately short of money. Images of hundreds of cars [waiting in long lines](#) at food banks across the country have become a symbol of the crisis, a contemporary equivalent of the old black-and-white images of Americans standing in bread lines during the Great Depression.

To [ease the pain](#), at least a little, Congress voted in late March to send \$1,200 each to most American adults. In this era of high-speed trading, digital wallets and instant payments, one might have imagined that the federal stimulus payments would be distributed quickly, too.

Instead, the first large wave of payments is only landing in bank accounts on Wednesday.

And tens of millions of Americans won't get their stimulus payments until May — or later.<sup>2</sup>

OCC, the state advocate for Ohio's residential utility customers, appreciates the opportunity to comment on Columbia's Emergency Plan. The plan needs additional consumer protections.

Those consumer protections should include disallowing charges for Columbia's emergency plan unless, at a minimum, the emergency measures and the related expenses meet

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<sup>1</sup> <https://www.nytimes.com/2020/04/15/opinion/coronavirus-stimulus-check-payment.html>.

<sup>2</sup> *Id.*

Ohio ratemaking standards, including that they are prudent and necessary. Columbia's actions should safeguard or promote goals, such as social distancing, for averting a deeper health crisis. Columbia's actions should protect consumers during the emergency and in some instances for a reasonable time period thereafter. Further, Columbia's added costs due to the emergency should be offset by costs Columbia avoids during the emergency, with any potential charges (or cost savings) to consumers reflecting that netting. The PUCO should also not permit cost or revenue shifting from one class of customers at the expense of another.

Additionally, Columbia's emergency plan should be in effect to protect consumers during the emergency and in some instances for a reasonable time thereafter. In this regard, Columbia has not specified how long its plan is to be in effect. And the PUCO has not established a set time for emergency measures to remain in place, other than to state that measures should be taken for the "duration of the emergency." The PUCO did say in AEP's emergency case that the issue of extending the duration of the suspension of disconnections needed to be considered, and ordered AEP to file a proposal for how long measures should stay in place. The emergency for customers may last far beyond any formally declared emergency.

During this state of emergency, the PUCO should consider additional measures beyond those found in Columbia's plan. All "non-essential" services (regardless of whether the services involve personal contact) that Columbia provides should be suspended until a reasonable time after the emergency (or the PUCO decides otherwise). For those in a precarious financial state, this will provide some relief. In addition, to prevent harm to customers from misleading or unwanted marketing, especially while consumers are home so much more, the PUCO should prohibit Columbia from making its customers' personal contact information available to gas marketers for telemarketing and other solicitation purposes.

## II. BACKGROUND

On March 9, 2020, Governor DeWine declared a state of emergency to protect the health and safety of Ohioans from the dangerous effect of the coronavirus pandemic.<sup>3</sup> These are perilous times for Ohio families throughout our great State, with a health crisis and ensuing personal-finance crisis. As a supplement to the strong leadership of Governor DeWine and Ohio Department of Health Director Acton to rally Ohioans to fight back against the virus, the PUCO invoked R.C. 4909.16 and declared an emergency. The PUCO used its emergency powers to shield Ohioans from utility disconnections, door-to-door energy sales, and more – actions that are laudable and vitally important for consumers.

On March 12, 2020, the PUCO opened a docket and ordered utilities to “ensure that utility service to customers is maintained during the state of emergency.” The PUCO directed all utilities to review their service disconnection policies, practices, and tariffs and promptly seek approval to suspend requirements that may “impose a service continuity hardship on residential and non-residential customers” or “create unnecessary COVID-19 risks associated with social contact.”<sup>4</sup>

On March 13, 2020, the PUCO issued another Entry directing all utilities to review their service reconnection policies, practices, and tariffs and to promptly seek approval to suspend requirements that may “impose a service restoration hardship on customers or create unnecessary risk of social contact.”<sup>5</sup> And then on March 17, 2020, the PUCO issued an Entry ordering that marketers “immediately suspend, for all customer classes, all door-to-door and in-person

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<sup>3</sup> See Executive Order 2020-01D.

<sup>4</sup> See Entry at ¶ 6(a).

<sup>5</sup> See March 13, 2020 Entry at ¶ 6(a).

marketing to customers in this state for the duration of the emergency, unless otherwise ordered by the [PUCO].”<sup>6</sup>

### **III. RECOMMENDATIONS**

As the PUCO reviews Columbia’s Emergency Plan, it should consider that many more Ohioans will struggle to pay their utility bills now and for some time, among their other financial difficulties. Those Ohioans with financial challenges will include customers who have historically paid their bills in full and on time but who may be unable to continue doing so following the economic fallout of the coronavirus pandemic. Ohio businesses and families will face financial burdens that were unforeseeable just a few months ago. As a result of lost wages, unemployment, and other financial hardships from the coronavirus, the need to make sure that all customers pay no more than fair, just, and reasonable rates is especially heightened.

**A. To protect consumers, all disconnections for non-payment should be suspended until a reasonable period after the coronavirus State of Emergency has ended.**

Columbia’s Emergency Plan appears to comply with the PUCO’s Order in the Generic Emergency Case that requires utilities to suspend disconnections of customers due to non-payment. When it comes to disconnections due to non-payment, there should be no uncertainty. The PUCO should be clear in its Order in this case (and in all other natural gas emergency cases) that, as of March 9, 2020 (if not earlier), no customer may be shut off. This suspension of disconnections will literally keep the heat on for thousands of Columbia customers during this difficult time. It will permit Columbia’s customers an opportunity to recover from the physical

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<sup>6</sup> See March 17, 2020 Entry at ¶ 9.



and financial damage that the coronavirus emergency has caused even after the formal state of emergency has ended.

This Order should remain effective for a reasonable time after the coronavirus emergency has ended. In its decision regarding AEP's emergency plan, the PUCO said it will give further consideration to extending the disconnection suspension beyond the end of the formal emergency. The PUCO said that "how to responsibly return to otherwise applicable protocols related to maintenance and restoration of service – requires further consideration and should be addressed."<sup>7</sup> An extended suspension is an important consumer protection, as people's personal emergencies may exist long after the end of the declared formal state emergency.

The PUCO also required AEP to further address the duration of the disconnection suspension and is inviting parties to then comment.<sup>8</sup> Similarly, the PUCO should direct Columbia to develop a plan with respect to residential service disconnections and file that plan in this docket 45 days prior to resuming service disconnections. Interested parties should be invited to comment on Columbia's plan.<sup>9</sup>

The suffering of consumers who have been touched by a coronavirus tragedy or who face financial ruin will likely continue for months or years after the formal emergency is ended by the state Administration. The PUCO has the authority to suspend disconnections and to order other consumer protections under, among other things, its emergency powers per R.C. 4909.16. The emergency statute enables the PUCO to act when it "deems it necessary to prevent injury to the business or interests of the public...."

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<sup>7</sup> See *In the Matter of the Application of Ohio Power Company for Approval of its Temporary Plan for Addressing the COVID-19 State of Emergency*, Case No. 20-602-EL-UNC *et al.*, Finding and Order (May 6, 2020) ("AEP Emergency Plan") at ¶24.

<sup>8</sup> *Id.*, at ¶25.

<sup>9</sup> *Id.*

**B. To protect consumers, Columbia should reconnect customers who were disconnected for non-payment, thirty days or more before March 9, 2020.**

Columbia's Emergency Plan is not specific with respect to reconnections of customers. Columbia should be ordered to reconnect customers who have had service recently shut off due to non-payment. The PUCO should establish a look-back period in this case (and make it applicable to other gas utilities' emergency plans). To protect consumers, the look-back period should begin at least thirty days before the Governor's Order on March 9, 2020. At a minimum, the PUCO should direct Columbia to work with its customers on terms to reconnect customers regardless of when disconnection occurred.<sup>10</sup> Additionally, the PUCO should order that all reconnection fees, deposits, and accumulated late fees during the emergency, including any look-back period, be waived (deferred) and refunded to those customers if already collected. These issues are not specifically addressed in Columbia's Emergency Plan.

**C. The PUCO should require Columbia to extend additional consumer protections for low-income consumers enrolled in the Percentage of Income Payment Plan ("PIPP").**

Columbia's Emergency Plan appears to properly suspend termination of PIPP plus customers during the emergency.<sup>11</sup> That is appropriate. But the PUCO should give PIPP customers additional protections. PIPP participants in the Columbia service area should not be dropped from the PIPP program if their re-verification is disrupted during the declared state of emergency. And PIPP participants should be provided the opportunity to avoid building up debt to Columbia through waiving requirements that payments should be made in full and on time before arrearage credits are given.

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<sup>10</sup> See *In the Matter of the Application of Ohio Power Company for Approval of its Temporary Plan for Addressing the COVID-19 State of Emergency*, Case No. 20-602-EL-UNC *et al.*, Finding and Order (May 6, 2020), at ¶31.

<sup>11</sup> See Columbia Emergency Plan, Appendix A (seeking suspension of PIPP rules).

As stated, the financial impact of the health emergency will likely continue for some time after the declared state of emergency ends. PIPP customers are the neediest of the needy in our society. They are especially vulnerable at this time. These additional protections for PIPP customers should continue for a reasonable period after the declared emergency ends when the extent of circumstances of the emergency and the financial hardships consumers are facing are better understood. The PUCO said in its decision regarding AEP's emergency plan that, "how to responsibly return to otherwise applicable protocols related to maintenance and restoration of service – requires further consideration and should be addressed."<sup>12</sup> The PUCO should at least require that further consideration here, with a proposal from Columbia and then comments from other parties.

The PUCO has the authority to order these protections for PIPP customers under, among other things, its emergency powers per R.C. 4909.16. The emergency statute enables the PUCO to act when it "deems it necessary to prevent injury to the business or interests of the public...."

**D. The PUCO should require Columbia to offer extended payment plans through 2021 or until the emergency is over (whichever is later).**

The Columbia Emergency Plan is not specific regarding payment plans for customers struggling to pay their bills as a result of the pandemic. The PUCO should impose a reasonable time period during which Columbia's customers may enter payment plans for paying back any past-due amounts caused during this state of emergency. While the existing PUCO-ordered payment plans<sup>13</sup> may be helpful for some consumers, more customized payment plans that meet the needs of consumers should be broadly offered.<sup>14</sup> This will provide some relief to Columbia

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<sup>12</sup> See Case No. 20-602-EL-UNC, Finding and Order (May 6, 2020) at ¶24.

<sup>13</sup> O.A.C. 4901:1-18-05(B).

<sup>14</sup> O.A.C. 4901:1-18-05(A).

customers who have lost income due to the coronavirus while still allowing Columbia to collect revenues for gas service.<sup>15</sup>

The PUCO should also require Columbia to offer payment plans that allow consumers more time (than the traditional three-, six- and nine-month payment plans) to pay the past due balances back to Columbia. This will also provide some much-needed relief to Columbia customers who have lost income due to the coronavirus emergency while still allowing Columbia to collect revenues for utility service over a longer period of time while consumers are fighting to get back on their feet.<sup>16</sup>

**E. To protect consumers, Columbia should not be permitted to lessen safety standards when person-to-person contact is unlikely.**

Columbia's Emergency Plan takes steps to limit person-to-person interactions. When reasonable, such steps should be incorporated into any PUCO Order addressing the state of emergency including, but not limited to, avoiding in-person payments whenever possible and limiting meter reading at a home whenever possible. The PUCO recently approved AEP Ohio's plan to encourage electronic bill payments or payments by mail to reduce in-person conduct,<sup>17</sup> and the PUCO should adopt similar measures for Columbia in this case.

In addition, repairs necessary to maintain the safety and reliability of Columbia's system should continue unless they involve unnecessary person-to-person interaction with customers. For example, Columbia requests a waiver from the requirements under Ohio Adm. Code 4901:1-16-04(I) regarding the remediation of gas pipeline leaks. The PUCO Staff opposes Columbia's request for a complete waiver from Ohio Adm. Code 4901:1-16-04(I)(1) regarding hazardous

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<sup>15</sup> See R.C. 4928.02 (L).

<sup>16</sup> See R.C. 4928.02 (L).

<sup>17</sup> *In the Matter of the Application of Ohio Power Company for Approval of its Temporary Plan for Addressing the COVID-19 State of Emergency*, Case No. 20-602-EL-UNC *et al.*, Finding and Order (May 6, 2020), at ¶¶49-51.

leaks,<sup>18</sup> In ruling on the AEP emergency plan, the PUCO made clear that it is not allowing a reduction in safety. That is consistent with the PUCO Staff's recommendations in this case.<sup>19</sup> And OCC recommends that the PUCO's ruling in this case should, like in the AEP case, not allow a reduction in safety.

**F. The PUCO should require Columbia to make publicly available for consumers, on its website and elsewhere, the details of its Emergency Plan information for transparency and the protection of their interests as customers.**

Columbia's Emergency Plan does not indicate how Columbia will communicate information regarding the plan to consumers. Columbia's customers have a right to know about the emergency plan, including what are their rights and options during the State of Emergency. The PUCO should develop a plan to educate and inform customers of their rights during this emergency. In the PUCO's ruling in the AEP emergency plan, the PUCO stated that consumers should be informed.<sup>20</sup> All reasonable methods of communication should be used. For example, use of bill inserts, public service announcements, social media, and working with social service agencies should be explored. And Columbia should be coordinating in the communities in which it serves, the specific locations where customers can request bill payment assistance to avoid getting behind in their natural gas bills.

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<sup>18</sup> Staff Review and Recommendation (April 29, 2020) ("Staff Report"), at p. 5.

<sup>19</sup> See Case No. 20-602-EL-UNC, Finding and Order at 25.

<sup>20</sup> See *id.* at 18.

**IV. FOR CONSUMER PROTECTION, THE PUCO SHOULD NOT APPROVE POTENTIAL COLUMBIA CHARGES TO CONSUMERS UNLESS, AT A MINIMUM, ANY CHARGES PROPOSED BY COLUMBIA ARE FOR COSTS THAT ARE PRUDENT, NECESSARY, AND MEET OTHER RATEMAKING STANDARDS.**

In the event Columbia seeks to collect any costs associated with the emergency from consumers, then the PUCO should only approve such costs that are directly related to actions Columbia takes during the coronavirus emergency, and the costs meet Ohio ratemaking standards. Such ratemaking standards include that the costs are prudently incurred and necessary in the provision of utility service. These important standards are not found in Columbia's application. But the PUCO did affirm in AEP's emergency case that any cost recovery would be subject to ratemaking standards, "including, but not limited to, issues such as prudence, proper computation, proper recording, reasonableness, and any potential double-recovery, . . . ."<sup>21</sup>

**V. FOR CONSUMER PROTECTION, THE PUCO SHOULD ADDRESS IN COLUMBIA'S EMERGENCY PLAN SPECIFIC CHARGES THAT SHOULD BE WAIVED, CONFORMING DEFERRALS TO STRICT REGULATORY STANDARDS, TRACKING OF COLUMBIA'S COST SAVINGS FOR LATER OFFSET AGAINST CHARGES TO CONSUMERS, AND AVOIDANCE OF DUPLICATIVE (DOUBLE) CHARGES.**

The PUCO Staff Report states that Columbia "is deferring or eliminating certain fees to encourage reconnection or continuity of service."<sup>22</sup> But Columbia's Emergency Plan is unclear as to how it will collect these unknown expenses and charges from customers. If Columbia seeks to defer collection of fees and charges associated with customer disconnections and

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<sup>21</sup> See Case No. 20-602-EL-UNC, Finding and Order at 22-23.

<sup>22</sup> Staff Report, at 3.

reconnections (or any other pandemic-related fees or charges), such deferrals should comply with the PUCO's standards for reviewing and approving accounting deferrals.<sup>23</sup>

To benefit customers in these difficult times, all late fees and credit card fees should be waived as of March 9, 2020, and deferred for subsequent collection. Columbia should also be required to waive any fees it may impose on returned checks. Such policies would help Columbia's customers begin to recover from the damage caused by the coronavirus.

The PUCO should also order Columbia to track expenses that were *not* incurred during this state of emergency. Such avoided expenses should be used to offset expenses associated with its Emergency Plan that Columbia is later allowed to collect from customers. Certain postponed actions and deferred activities will no doubt occur and can significantly reduce Columbia's overall expenses. Some of these activities include, but are not limited to, furloughs or reduction in salaries, temporary or permanent reductions in employee numbers, postponed or avoided inside meter readings, reduced travel expenses, and any postponed or deferred operations and maintenance activities.

It is only reasonable that the expenses that Columbia *does not* incur due to the emergency should be tracked so that they can offset any extra expenses that Columbia *does* incur due to the emergency. The PUCO recently directed AEP Ohio to track any costs avoided under its emergency plan,<sup>24</sup> and the PUCO should direct Columbia to do the same in this case. The PUCO should also not permit cost or revenue shifting from one class of customers at the expense of another.

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<sup>23</sup> See e.g., *In the Matter of the Application of Duke Energy Ohio, Inc. for Approval to Change Accounting Methods*, Case No. 17-2118-GA-AAM, Finding and Order (April 18, 2018).

<sup>24</sup> *In the Matter of the Application of Ohio Power Company for Approval of its Temporary Plan for Addressing the COVID-19 State of Emergency*, Case No. 20-602-EL-UNC *et al.*, Finding and Order (May 6, 2020), at ¶62.

Additionally, certain costs that Columbia will incur during the emergency may already be included in Columbia's base rates. An example is labor and fleet expenses required to do disconnections that are suspended during the emergency. This expense is duplicative because this same labor and fleet will be used to perform the reconnections mentioned earlier. Obviously, consumer protection requires that duplicative collections from customers should be prohibited.

**VI. THE PUCO SHOULD ORDER THAT COLUMBIA ADOPT ADDITIONAL CONSUMER PROTECTIONS IN ITS EMERGENCY PLAN.**

In addition to causing severe health concerns, the coronavirus emergency has had a devastating impact on consumers' finances. Jobs have been lost, unemployment has increased, and wages have been reduced. In light of that devastating impact, the PUCO should add consumer protections to Columbia's Emergency Plan.

**A. The PUCO should order Columbia to repurpose low-income weatherization funds for bill payment assistance during the emergency, and for a reasonable period thereafter.**

As OCC recommended in Columbia's case for its energy efficiency programs (Case 19-1940-GA-RDR), the \$14 million in consumer funding for Columbia's low-income weatherization program should be repurposed to serve the greatest good for the greatest number of at-risk Ohioans in the Columbia area. These consumers are suffering the health and financial pain of the coronavirus emergency—and there likely will be consumer suffering for years as a result. Under these terrible circumstances, the annual \$14 million in energy efficiency subsidies that Columbia collects from consumers for weatherization should be repurposed to where they can do the greatest good. **That means repurposing the current annual use of \$14 million in subsidies for weatherizing merely 2,000 homes to providing bill payment assistance**



(money) for up to 80,000 of Columbia’s residential consumers.”<sup>25</sup> As The New York Times editorialized, “People Need Money.” And they need it now.

**B. Consumers’ personal information should be protected.**

The PUCO should use its emergency powers under R.C. 4909.16 to suspend Columbia’s disclosure of its customers’ personal contact information to gas marketers for telemarketing and other sales purposes. No customer’s personal contact information should be shared with a marketer, in the absence of the customer’s affirmative consent. As stated, the PUCO can declare an emergency, under the circumstances of the current health and financial crises, that includes barring the disclosure of customer’s personal contact information to gas marketers unless customers have affirmatively consented. The emergency statute would allow the PUCO to override R.C. 4929.22(F) and O.A.C. 4901:1-13-14(C), if that statute is deemed to require disclosure unless a consumer opts out.

This recommendation is supported by the shadow-billing information that Columbia has collected since the inception of so-called “Choice.” Through March 2020, according to the latest Columbia information, consumers have paid **\$1.8 billion** more than they would have paid had they been served by Columbia’s GCR/standard offer.<sup>26</sup>

The PUCO is now inquiring into protections for consumers during this emergency. The emergency is a time to recognize that there are not many, if any, greater opportunities for natural gas consumers to save money than the savings that they could achieve by not entering into a contract with a gas marketer at a rate in excess of Columbia’s standard choice offer.

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<sup>25</sup> *In the Matter of the Annual Application of Columbia Gas of Ohio, Inc. for an Adjustment to Rider IRP and Rider DSM Rates.*, Case 19-1940-GA-RDR, Testimony of James D. Williams (April 20, 2020) at 3.

<sup>26</sup> See Columbia Shadow Billing Report attached here as Attachment A.

For quite some time, there has been a dwindling number of marketer offers that allow consumers to beat Columbia's standard offer. This emergency is a time for the government (PUCO) to incorporate this bitter reality for Columbia Gas consumers into how the PUCO informs (educates) consumers about their dim prospects with natural gas marketing offers. During this emergency (and for a reasonable time after the formal emergency) the PUCO should help protect already stressed consumers from cold-calling by energy marketers and from over-paying them for natural gas service as a result of Columbia's disclosure of their personal contact information.

Further, the PUCO should revise its apples-to-apples website to help consumers understand more explicitly their significant exposure for paying more money (and possibly a lot more money) than Columbia's low-priced standard offer. As stated, many consumers now have less money (or no money) as result of the health crisis.

**C. Work on, and charges for, "non-essential" utility services should be suspended (and associated costs should be saved and used to offset costs Columbia incurs because of the emergency) until the emergency ends (or the PUCO determines otherwise).**

Work on, and charges for, "non-essential" utility services, even those that do not involve social contact, should be suspended until the emergency ends (or the PUCO determines otherwise). Maintaining essential utility service to consumers in this emergency is crucial. Equally as important is helping consumers deal with the financial hardships they are facing as a result of the emergency. While making sure that essential utility service must be done, "non-essential" utility services (and charges for them) should be suspended. Essential utility services are those necessary to ensure that Columbia has necessary and adequate facilities to provide basic reliable and safe service to customers. Non-essential services are those not needed to

provide basic utility services to customers.<sup>27</sup> And the PUCO has further clarified that “non-essential functions include, but are not limited to, in-home energy efficiency audits, weatherization programs, in premises inspections not prompted by an identified safety-related concern, and other similar initiatives.”<sup>28</sup>

**D. Other consumer protection considerations.**

The National Consumer Law Center has published a one-page list of recommendations for consumer protection, “Coronavirus Crises: How States Can Help Consumers Maintain Essential Utility Services.” The publication is attached hereto as Attachment B. As the PUCO reviews Columbia’s Emergency Plan, the consumer protections in the National Consumer Law Center’s publication should be implemented.

**VII. CONCLUSION**

For the health and economic security of Columbia’s customers, the PUCO should issue an order that helps Ohio consumers with their difficult path through the coronavirus crisis and their ensuing financial crisis. The additional steps proposed by OCC to protect customers, but not included in Columbia’s Emergency Plan, should be adopted by the PUCO.

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<sup>27</sup> See R.C. 4905.22.

<sup>28</sup> *In The Matter of The Proper Procedures and Processes For The Commission’s Operations and Proceeding During The Declared State of Emergency and Related Matters*, Entry (March 20, 2020) at 4.

Respectfully submitted,

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### **CERTIFICATE OF SERVICE**

I hereby certify that a copy of these Comments have been served via electronic transmission upon the following parties of record this 8<sup>th</sup> day of May 2020.

/s/ Angela D. O'Brien  
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The PUCO's e-filing system will electronically serve notice of the filing of this document on the following parties:

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Month	Res. Savings CAB	Com. Savings CAB	Ind. Savings CAB	Com. Savings GAS	Ind. Savings GAS	Total Monthly Choice Savings	Monthly PIPP Savings	Monthly Savings Including PIPP	Cumulative PIPP Savings	Cumulative Savings (Incl PIPP)	Cumulative Savings (Excl PIPP)
Jan-17	-\$8,602,412	-\$1,932,895	-\$23,094	-\$197,580	\$16,657	-\$10,739,324	\$0	-\$10,739,324	\$23,412,227	-\$1,421,409,259	-\$1,444,821,488
Feb-17	-\$10,479,905	-\$3,212,465	-\$45,344	-\$189,553	\$20,621	-\$13,906,646	\$0	-\$13,906,646	\$23,412,227	-\$1,435,315,906	-\$1,458,728,134
Mar-17	-\$12,403,111	-\$3,981,768	-\$66,462	-\$14,808	\$13,044	-\$16,453,105	\$0	-\$16,453,105	\$23,412,227	-\$1,451,769,011	-\$1,475,181,239
Apr-17	-\$7,152,840	-\$2,079,943	-\$33,637	-\$44,992	\$20,985	-\$9,290,427	\$0	-\$9,290,427	\$23,412,227	-\$1,461,059,438	-\$1,484,471,666
May-17	-\$4,249,551	-\$1,084,496	-\$16,756	-\$19,605	\$51,743	-\$5,318,664	\$0	-\$5,318,664	\$23,412,227	-\$1,466,378,103	-\$1,489,790,331
Jun-17	-\$2,846,544	-\$749,126	-\$12,220	-\$29,457	\$67,299	-\$3,570,047	\$0	-\$3,570,047	\$23,412,227	-\$1,469,948,150	-\$1,493,360,378
Jul-17	-\$2,432,674	-\$673,504	-\$11,964	\$17,247	\$53,984	-\$3,046,912	\$0	-\$3,046,912	\$23,412,227	-\$1,472,995,062	-\$1,496,407,290
Aug-17	-\$2,371,761	-\$675,104	-\$12,487	\$2,572	\$16	-\$3,056,763	\$0	-\$3,056,763	\$23,412,227	-\$1,476,051,825	-\$1,499,464,053
Sep-17	-\$2,539,390	-\$714,249	-\$12,382	\$5,325	\$60,276	-\$3,200,419	\$0	-\$3,200,419	\$23,412,227	-\$1,479,252,244	-\$1,502,664,472
Oct-17	-\$2,648,172	-\$744,642	-\$15,885	\$22,212	\$43,730	-\$3,342,756	\$0	-\$3,342,756	\$23,412,227	-\$1,482,595,000	-\$1,506,007,228
Nov-17	-\$7,587,488	-\$1,966,136	-\$50,909	\$30,457	\$50,781	-\$9,523,295	\$0	-\$9,523,295	\$23,412,227	-\$1,492,118,295	-\$1,515,530,523
Dec-17	-\$12,595,841	-\$3,405,446	-\$73,570	-\$42,110	\$70,159	-\$16,046,808	\$0	-\$16,046,808	\$23,412,227	-\$1,508,165,103	-\$1,531,577,331
Jan-18	-\$22,918,445	-\$6,713,323	-\$115,325	\$16,576	\$56,107	-\$29,674,409	\$0	-\$29,674,409	\$23,412,227	-\$1,537,839,513	-\$1,561,251,741
Feb-18	-\$11,398,416	-\$2,573,054	-\$37,638	\$32,141	\$35,553	-\$13,941,414	\$0	-\$13,941,414	\$23,412,227	-\$1,551,780,927	-\$1,575,193,155
Mar-18	-\$13,701,257	-\$4,102,488	-\$71,874	\$97,706	\$23,532	-\$17,754,381	\$0	-\$17,754,381	\$23,412,227	-\$1,569,535,308	-\$1,592,947,536
Apr-18	-\$14,252,376	-\$4,362,801	-\$80,331	\$48,637	\$20,711	-\$18,626,161	\$0	-\$18,626,161	\$23,412,227	-\$1,588,161,468	-\$1,611,573,696
May-18	-\$6,279,749	-\$1,859,047	-\$35,776	\$20,324	\$15,933	-\$8,138,314	\$0	-\$8,138,314	\$23,412,227	-\$1,596,299,783	-\$1,619,712,011
Jun-18	-\$2,785,837	-\$866,876	-\$13,609	\$15,332	\$43,914	-\$3,607,076	\$0	-\$3,607,076	\$23,412,227	-\$1,599,906,859	-\$1,623,319,087
Jul-18	-\$2,391,788	-\$728,416	-\$12,355	\$17,243	\$71,279	-\$3,044,037	\$0	-\$3,044,037	\$23,412,227	-\$1,602,950,896	-\$1,626,363,124
Aug-18	-\$2,370,543	-\$763,545	-\$11,058	-\$8,968	\$73,229	-\$3,080,885	\$0	-\$3,080,885	\$23,412,227	-\$1,606,031,780	-\$1,629,444,009
Sep-18	-\$2,377,345	-\$747,286	-\$11,546	\$8,187	\$48,877	-\$3,079,113	\$0	-\$3,079,113	\$23,412,227	-\$1,609,110,894	-\$1,632,523,122
Oct-18	-\$3,048,855	-\$877,058	-\$21,557	-\$8,173	\$41,244	-\$3,914,399	\$0	-\$3,914,399	\$23,412,227	-\$1,613,025,293	-\$1,636,437,521
Nov-18	-\$8,245,795	-\$2,195,153	-\$46,857	\$49,759	\$57,367	-\$10,380,680	\$0	-\$10,380,680	\$23,412,227	-\$1,623,405,972	-\$1,646,818,201
Dec-18	-\$7,107,855	-\$486,892	-\$11,127	-\$131,642	\$36,444	-\$7,701,071	\$0	-\$7,701,071	\$23,412,227	-\$1,631,107,044	-\$1,654,519,272
Jan-19	-\$14,432,062	-\$4,330,882	-\$90,482	-\$9,463	-\$117,386	-\$18,980,275	\$0	-\$18,980,275	\$23,412,227	-\$1,650,087,319	-\$1,673,499,547
Feb-19	-\$20,526,817	-\$6,533,568	-\$128,396	\$24,773	\$23,583	-\$27,140,424	\$0	-\$27,140,424	\$23,412,227	-\$1,636,251,318	-\$1,659,663,546
Mar-19	-\$17,106,315	-\$5,386,552	-\$109,858	-\$51,686	-\$1,770	-\$22,656,180	\$0	-\$22,656,180	\$23,412,227	-\$1,658,907,497	-\$1,682,319,726
Apr-19	-\$11,367,867	-\$3,623,774	-\$74,339	\$49,716	\$10,455	-\$15,005,809	\$0	-\$15,005,809	\$23,412,227	-\$1,673,913,306	-\$1,697,325,534
May-19	-\$6,410,621	-\$1,840,759	-\$28,594	\$17,288	\$30,188	-\$8,232,499	\$0	-\$8,232,499	\$23,412,227	-\$1,682,145,805	-\$1,705,558,033
Jun-19	-\$3,592,368	-\$1,200,432	-\$15,590	-\$6,574	\$26,184	-\$4,788,780	\$0	-\$4,788,780	\$23,412,227	-\$1,686,934,584	-\$1,710,346,813
Jul-19	-\$2,998,675	-\$1,087,420	-\$14,994	\$18,709	\$39,386	-\$4,042,994	\$0	-\$4,042,994	\$23,412,227	-\$1,690,977,578	-\$1,714,389,806
Aug-19	-\$2,813,061	-\$1,067,297	-\$15,342	\$18,693	\$40,760	-\$3,836,246	\$0	-\$3,836,246	\$23,412,227	-\$1,694,813,825	-\$1,718,226,053
Sep-19	-\$2,859,421	-\$1,071,283	-\$14,214	\$25,450	\$46,097	-\$3,873,371	\$0	-\$3,873,371	\$23,412,227	-\$1,698,687,196	-\$1,722,099,424
Oct-19	-\$3,348,874	-\$1,102,361	-\$19,762	\$2,084	\$44,122	-\$4,424,791	\$0	-\$4,424,791	\$23,412,227	-\$1,703,111,987	-\$1,726,524,215
Nov-19	-\$8,645,982	-\$2,655,864	-\$57,042	\$107,477	\$56,498	-\$11,194,913	\$0	-\$11,194,913	\$23,412,227	-\$1,714,306,900	-\$1,737,719,128
Dec-19	-\$16,457,094	-\$5,480,208	-\$131,140	\$96,260	\$42,802	-\$21,929,380	\$0	-\$21,929,380	\$23,412,227	-\$1,736,236,280	-\$1,759,648,508
Jan-20	-\$18,659,395	-\$6,818,494	-\$157,018	\$112,697	\$23,420	-\$25,498,789	\$0	-\$25,498,789	\$23,412,227	-\$1,761,735,069	-\$1,785,147,297
Feb-20	-\$20,153,919	-\$7,318,893	-\$164,857	\$119,648	\$8,427	-\$27,509,594	\$0	-\$27,509,594	\$23,412,227	-\$1,789,244,663	-\$1,812,656,891
Mar-20	-\$18,103,090	-\$6,385,425	-\$141,270	\$82,100	\$4,253	-\$24,543,434	\$0	-\$24,543,434	\$23,412,227	-\$1,813,788,097	-\$1,837,200,325

Month	Res. Savings CAB	Com. Savings CAB	Ind. Savings CAB	Com. Savings GAS	Ind. Savings GAS	Total Monthly Choice Savings	Monthly PIPP Savings	Monthly Savings Including PIPP	Cumulative PIPP Savings	Cumulative Savings (Incl PIPP)	Cumulative Savings (Excl PIPP)
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# Coronavirus Crisis: How States Can Help Consumers Maintain Essential Utility Services

March 2020

## KEEP RESIDENTIAL UTILITY SERVICE ON DURING THE CRISIS

Access to affordable electric, gas, water, sewer, and telecommunications (including internet) services is essential at all times, but especially during a worldwide pandemic and shelter-at-home orders. Throughout the COVID-19 emergency, states should take the following steps to ensure that consumers stay connected to essential utility networks and reduce the need for public interaction:

- Issue an emergency declaration through gubernatorial action banning all regulated and unregulated utility service shut offs, including electric, gas, water/sewer, and telecommunications services, due to inability to pay, during the crisis;
- Order all regulated and unregulated utilities to reconnect customers who were previously disconnected due to inability to pay;
- Ban all in-person marketing and sales of alternative energy supply and distributed energy products during the length of the emergency declaration;
- Encourage low-income households to apply for the federal Lifeline phone and broadband program for free or discounted voice and data service;
- Adjust state Low Income Home Energy Assistance Program (LIHEAP) application deadlines, enrollment access and eligibility certification processes; and

## ENSURING THAT UTILITY SERVICE IS AFFORDABLE FOR ALL

After emergency orders have been lifted, states should ensure that utility arrearages incurred during the crisis do not trigger disconnections. States should require all utility service providers, both regulated and unregulated, to adopt more flexible credit and collections practices than currently required by state regulations and unregulated utility policies. Such protections should:

- Eliminate any customer deposit requirements;
- Eliminate down payment requirements on deferred payment arrangements (DPAs);
- Allow flexible, reasonable DPAs that are based on the customer's ability to pay;
- Eliminate any requirement that disconnected customers pay the full arrearage in order to reconnect, thereby permitting reconnection upon issuance of an affordable DPA;
- Eliminate minimum balance requirements for prepaid utility service customers;
- Require utilities to write off debt for consumers who certify that they are eligible for LIHEAP, but are unable to receive LIHEAP due to insufficient LIHEAP funds; and
- Prohibit utilities from imposing late fees and engaging in negative credit reporting

**Questions? Contact National Consumer Law Center advocates Jen Bosco ([jbosco@nclc.org](mailto:jbosco@nclc.org)), Charlie Harak ([charak@nclc.org](mailto:charak@nclc.org)), John Howat ([jhowat@nclc.org](mailto:jhowat@nclc.org)), Karen Lusson ([klusson@nclc.org](mailto:klusson@nclc.org)) or Olivia Wein ([owein@nclc.org](mailto:owein@nclc.org)).**



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Summary: Comments Comments for Additional Consumer Protections Regarding the Temporary Plan of Columbia Gas to Address the Coronavirus Emergency by the Office of the Ohio Consumers' Counsel electronically filed by Ms. Deb J. Bingham on behalf of O'Brien, Angela Ms.