

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 FUND RIDER OF JURISDICTIONAL
OHIO ELECTRIC DISTRIBUTION UTILITIES.

CASE NO. 20-1103-EL-USF

ENTRY

Entered in the Journal on June 8, 2020

{¶ 1} On May 29, 2020, 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 (AEP Ohio), and Toledo Edison Company (TE) (collectively, EDUs) in accordance with R.C. 4928.52.

{¶ 2} Each entity, CEI, DP&L, Duke, OE, AEP Ohio, and TE, is an electric distribution utility, as defined in R.C. 4298.01(A)(6), and a public utility, as defined in R.C. 4905.02, and, as such, is subject to the jurisdiction of this Commission. Accordingly, the above noted EDUs should be joined as indispensable parties to this proceeding.

{¶ 3} The Commission approved the current USF rider rates for each of the EDUs to be effective, on a bills-rendered basis, beginning with the January 2020 billing cycle as set forth below:

| Electric Utility | First 833,000 Kwh | Above 833,000 Kwh |
|------------------|----------------------|----------------------|
| CEI | \$ 0.0023743 | \$ 0.0005680 |
| DP&L | \$ 0.0019585 | \$ 0.0005700 |
| Duke | \$ 0.0009847 | \$ 0.0004690 |
| OE | \$ 0.0032881 | \$ 0.0010461 |
| AEP Ohio | \$ 0.0036634 | \$ 0.0001756 |
| TE | \$ 0.0031912 | \$ 0.0005610 |

In re ODSA, Case No. 19-1270-EL-USF (2019 USF Case), Opinion and Order (Dec. 19, 2018) at 13-14.

{¶ 4} 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.

{¶ 5} In the *2019 USF Case*, the Commission approved the Joint Stipulation and Recommendation (2019 Adjustment Stipulation) executed by ODSA, Industrial Energy Users-Ohio, Ohio Partners for Affordable Energy, Duke, DP&L, and AEP Ohio. Although the other parties to the *2019 USF Case* did not sign the Stipulation, no party to the proceeding opposed the 2019 Adjustment Stipulation. The 2019 Adjustment Stipulation provided, among other things, that ODSA would file an NOI to apply for the annual USF rider adjustment by no later than May 31, 2020, 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.

{¶ 6} On May 29, 2020, in compliance with the terms of the 2019 Adjustment Stipulation, 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 program, the Electric Partnership Program, including consumer education, and associated administrative costs. 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 the *2019 USF Case* and prior USF proceedings, with adjustments to the method used to determine the reserve. As in previous USF applications, ODSA proposes to incorporate a two-step declining block rate design.

{¶ 7} To facilitate the review of the NOI, and consistent with the approved 2019 Adjustment Stipulation, the following procedural schedule should be established:

| | |
|-----------------------------------------|---------------------------------------------|
| File objections or comments | June 26, 2020 |
| File motions to intervene | June 26, 2020 |
| File Replies to objections and comments | July 6, 2020 |
| Discovery completion | July 14, 2020 |
| File Direct Testimony | July 21, 2020 |
| File Reply Testimony | July 28, 2020 |
| Prehearing conference | Upon request of any party, July 31, 2020 |
| Evidentiary Hearing | August 10, 2020 |
| File Post-Hearing Briefs | August 18, 2020 |
| File Reply Briefs | August 25, 2020 |

{¶ 8} Upon the request of one or more of the parties by no later than July 29, 2020, this matter will be set for a prehearing conference on July 31, 2020 by telephone or remote access technology. The purpose of a prehearing conference would be to permit the parties to discuss any issues they may have concerning the proposed revenue requirement and rate design methodologies.

{¶ 9} Unless otherwise ordered by the Commission, this matter will be scheduled for an evidentiary hearing on August 10, 2020, at 10:00 a.m., in hearing Room C, 11th floor, at the offices of the Commission, 180 East Broad Street, Columbus, Ohio 43215.

{¶ 10} It is, therefore,

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

{¶ 12} ORDERED, That interested persons wishing to intervene in this proceeding file a motion to intervene on or before June 26, 2020. It is, further,

{¶ 13} ORDERED, That any objections or comments regarding ODSA's proposed rate design methodology be filed with the Commission on or before June 26, 2020, and reply comments be filed on or before July 6, 2020. It is, further,

{¶ 14} ORDERED, That the parties adhere to the procedural schedule as set forth in Paragraph 7. It is, further,

{¶ 15} ORDERED, That the evidentiary hearing commence as set forth in Paragraph 9. It is, further,

{¶ 16} 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. 19-1270-EL-USF.

THE PUBLIC UTILITIES COMMISSION OF OHIO

/s/Greta See

By: Greta See
Attorney Examiner

GAP/hac

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in

Case No(s). 20-1103-EL-USF

Summary: Attorney Examiner Entry ordering all Ohio jurisdictional EDUs be joined as indispensable parties to this proceeding; interested persons wishing to intervene in this proceeding file a motion to intervene on or before June 26, 2020; any objections or comments be filed on or before June 26, 2020, and reply comments be filed on or before July 6, 2020; and, scheduling evidentiary hearing electronically filed by Heather A Chilcote on behalf of Greta See, Attorney Examiner, Public Utilities Commission