

THE PUBLIC UTILITIES COMMISSION OF OHIO

IN THE MATTER OF THE MOTION OF THE
EAST OHIO GAS COMPANY DBA
DOMINION ENERGY OHIO TO SUSPEND
OR MODIFY CERTAIN PROCEDURES AND
PROCESSES DURING THE COVID-19
STATE OF EMERGENCY AND RELATED
MATTERS.

CASE NO. 20-600-GA-UNC

SUPPLEMENTAL FINDING AND ORDER

Entered in the Journal on July 15, 2020

I. SUMMARY

{¶ 1} The Commission approves, in part, the transition plan filed by The East Ohio Gas Company dba Dominion Energy Ohio to terminate the waiver of certain portions of the Ohio Administrative Code and corresponding provisions of its tariff and to return to pre-COVID-19 activities and operations, consistent with this Supplemental Finding and Order.

II. DISCUSSION

A. *Procedural History*

{¶ 2} The East Ohio Gas Company dba Dominion Energy Ohio (DEO or Company) is a natural gas company and a public utility as defined by R.C. 4905.03 and R.C. 4905.02, respectively. As such, DEO is subject to the jurisdiction of this Commission.

{¶ 3} R.C. 4909.16 provides, in part, that, in the event of an emergency, when the Commission finds it necessary to prevent injury to the business or interests of the public or of any public utility, it may temporarily alter, amend, or suspend any existing rates or schedules.

{¶ 4} On March 9, 2020, the governor signed Executive Order 2020-01D (Executive Order), declaring a state of emergency in Ohio to protect the well-being of Ohioans from the dangerous effects of COVID-19. As described in the Executive Order, state agencies are required to implement procedures consistent with recommendations from the Department of Health to prevent or alleviate the public health threat associated with COVID-19.

Additionally, all citizens are urged to heed the advice of the Department of Health regarding this public health emergency in order to protect their health and safety. The Executive Order was effective immediately and will remain in effect until the COVID-19 emergency no longer exists. The Department of Health is making COVID-19 information, including information on preventative measures, available via the internet at coronavirus.ohio.gov/.

{¶ 5} Pursuant to R.C. 3701.13, the Ohio Department of Health has supervision of “all matters relating to the preservation of the life and health of the people” and the “ultimate authority in matters of quarantine and isolation.” On March 12, 2020, the Director of the Ohio Department of Health issued an Order indicating that “all persons are urged to maintain social distancing (approximately six feet away from other people) whenever possible.”

{¶ 6} On March 12, 2020, the Commission opened Case No. 20-591-AU-UNC and directed all utility companies in this state to review their disconnection procedures in light of the state of emergency. *In re the Proper Procedures and Process for the Commission's Operations and Proceedings During the Declared State of Emergency and Related Matters*, Case No. 20-591-AU-UNC (*Emergency Case*), Entry (Mar. 12, 2020) at ¶ 7. On March 13, 2020, the Commission extended its winter reconnection order through May 1, 2020, and directed all utility companies in this state to review their reconnection procedures. *Emergency Case*, Entry (Mar. 13, 2020) at ¶ 6. In the March 12, 2020, and March 13, 2020 Entries, the Commission also directed all utility companies to promptly seek any necessary approval, for the duration of the emergency, to suspend otherwise applicable disconnection or reconnection requirements that may impose a service continuity or service restoration hardship on residential and non-residential customers or create unnecessary COVID-19 risks associated with social contact. The Commission determined that such filings shall be deemed approved on an emergency basis for a period of at least 30 days effective as of the filing date or until such date as the Commission may otherwise specify, which shall not be less than 30 days.

{¶ 7} On March 17, 2020, in the above-captioned case, DEO filed a motion for

authority to suspend and modify various policies and practices and for waivers of related Commission rules due to the COVID-19 pandemic.

{¶ 8} On March 20, 2020, in the *Emergency Case*, the Commission directed all utility companies to suspend in-person, actual meter readings in circumstances where a meter is located inside a customer's home or similar location, as well as all other non-essential functions that may create unnecessary COVID-19 risks associated with social contact, including, but 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. The Commission also clarified that requests for accounting authority or incremental cost recovery related to the emergency will be addressed in each utility's individual case by subsequent entry. *Emergency Case, Entry* (Mar. 20, 2020) at ¶¶ 10-11, 13.

{¶ 9} On April 8, 2020, in the *Emergency Case*, the Commission, among other things, extended the 30-day automatic approval period for filings to suspend otherwise applicable disconnection requirements for an additional 30 days, unless otherwise ordered by the Commission. *Emergency Case, Finding and Order* (Apr. 8, 2020) at ¶ 9.

{¶ 10} On May 13, 2020, DEO filed a motion for extension of the rule and tariff suspension requested in its motion filed on March 17, 2020.

{¶ 11} By Entry dated May 14, 2020, the attorney examiner granted DEO's motion for extension of the rule and tariff suspension until the Commission specifically ordered otherwise.

{¶ 12} On June 3, 2020, the Commission granted, in part, DEO's motion for waiver of certain provisions of the Ohio Administrative Code and corresponding provisions of the Company's tariff, consistent with Staff's recommendations and modifications, and consistent with its Finding and Order. Further, in recognition of the state's relaxation of social distancing restrictions, the Commission directed DEO to work with Staff to develop a single, comprehensive plan to resume activities and operations, including timelines, and

file the plan at least 45 days prior to resuming such activities and operations. Interested persons were directed to file comments within ten days after the filing of the plan.

{¶ 13} On June 18, 2020, DEO filed its plan to resume pre-emergency operations and activities (transition plan) in compliance with specific provisions of the Ohio Administrative Code and related provisions of the Company's tariff.

{¶ 14} On June 29, 2020, the Ohio Consumers' Counsel (OCC) and Ohio Partners for Affordable Energy (OPAE) filed comments on DEO's transition plan.

B. Review of DEO's Transition Plan and the Comments

{¶ 15} In its transition plan, DEO sets forth its plans for a partial resumption of operations, which it intends to implement immediately with regard to certain field activities, until the plan is modified or until the state of emergency is fully lifted. Due to the unusual and continually evolving nature of the COVID-19 pandemic, DEO states the plan and its implementation are subject to additional modifications, including any directed by the Commission.

{¶ 16} While OPAE generally supports aspects of DEO's transition plan, it offers recommendations regarding weatherization programs. OCC also finds certain aspects of the plan reasonable, but offers comments about other aspects, including service disconnection and weatherization.

1. RESUMPTION OF FIELD ACTIVITIES SUSPENDED DUE TO SOCIAL CONTACT

{¶ 17} DEO indicates it has continued to gather remote meter readings without material interruption because it has adopted automated meter reading technology. While in-person inside meter reads are rarely requested, DEO has suspended these since mid-March 2020, and they remain suspended. DEO states it will consult with Staff prior to resuming in-person inside meter reads. Further, DEO continues to plan to defer the clearing of Grade 2 leaks scheduled for remediation through June, with remediation to occur no later than December 31, 2020. Finally, DEO indicates that, during the pandemic, it limited field

activities to only: emergency response; new service requests and connections; service disconnections requested by the customer or when necessary for safety; leak repair; and work performed by contractors, such as mainline and service installation. In recent weeks, DEO has largely resumed normal field activities, subject to appropriate precautions and social distancing measures in accordance with applicable public health guidelines.

{¶ 18} DEO intends to continue the suspension of low-income weatherization, other than for emergency heat or hot water, and home-energy audits under its demand-side-management program at this time. DEO is currently targeting a restart of these activities during August 2020. To the extent customers must apply for and accept weatherization services, for example, as a condition of applying for the percentage of income payment plan (PIPP) program, DEO will work with such customers to schedule appointments at a mutually agreeable time.

{¶ 19} Finally, DEO notes it is taking the following steps to protect the health and well-being of its customers and employees:

- DEO employees are taking their temperatures before the workday to ensure that they are safe and ready to work their shifts.
- DEO employees working inside customers' homes have been trained to maintain appropriate social distancing while completing their assignments.
- DEO personnel are asking a series of questions before proceeding, to determine whether any household members or business personnel have or have been exposed to COVID-19.
- All employees are provided hand sanitizer with 60 percent or higher alcohol content, to wash their hands prior to and leaving a work order if soap and water are unavailable.

- To protect customers, DEO employees are wearing personal protective equipment (PPE) at each home entry stop, including disposable rubber gloves, face masks, and safety glasses, as appropriate.
- To provide an additional margin of safety and protection for customers and employees, in instances in which coronavirus is suspected in a home or business, specially trained and equipped members of the Company's Emergency Customer Response Teams are wearing disposable coveralls, gloves, safety goggles, and boot covers, along with respirators and face shields, to serve customers in such environments. These employees are required to follow procedures to disinfect their tools, face shields, and goggles upon completion of a work order and to dispose of any PPE appropriately.

In addition, DEO states it continues to monitor public health guidelines and may modify the above practices, if appropriate, to ensure compliance with changing guidelines.

{¶ 20} OP&A;E supports the meter-reading aspect of DEO's plan. While OP&A;E also generally agrees with the proposed resumption of field activities, it urges DEO to reconsider the proposal regarding low-income weatherization (other than emergency services) and home energy audits. First, OP&A;E explains that not specifying a date makes it difficult for agencies to develop and implement plans to restart the Housewarming Program. Second, OP&A;E notes that federal and state-funded programs restarted on May 5, 2020, per the order of the Director of the Department of Health. OP&A;E further notes that other utilities restarted programs in June, with others planning to start July 1, 2020. The Commission has approved a July 13, 2020 restart for Columbia Gas of Ohio, Inc. in Case No. 20-637-GA-UNC. *In re Columbia Gas of Ohio, Inc. to Suspend Certain Procedures and Process During the COVID-19 State of Emergency and Related Matters*, Case No. 20-637-GA-UNC, Supplemental Finding and Order (June 17, 2020) at ¶ 18. Accordingly, OP&A;E urges DEO to reopen the weatherization

program sooner than August to allow agencies to resume coordinating the program with the Home Weatherization Assistance Program, FirstEnergy's Community Connections Program, the Electric Partnership Program, and home repair programs.

{¶ 21} On the other hand, OCC argues the Commission should protect consumers by rejecting DEO's proposal to resume its energy efficiency programs in August 2020. According to OCC, the programs create an unnecessary risk of spreading the coronavirus to customers and in-home energy audits and weatherization programs are not essential to the provision of natural gas service. Further, OCC finds DEO's proposal premature, especially with the state's recent announcement that new coronavirus cases are spiking in Ohio. OCC suggests DEO revisit the proposal when the pandemic subsides. To bolster this point, OCC points to the Commission's directive to suspend non-essential functions that could spread COVID-19 risks, which includes in-home energy efficiency audits, weatherization programs, in-premises inspections not prompted by an identified safety-related concern, and other similar initiatives. *Emergency Case*, Entry (Mar. 20, 2020) at ¶ 10. Because energy efficiency audits and weatherization programs are not necessary to the provision of safe utility service, OCC claims there is no legitimate reason for DEO to resume these non-essential functions before the emergency is over.

{¶ 22} Upon review, the Commission finds DEO's transition plan to contain appropriate PPE and precautions to resume energy efficiency programs, including in-home energy audits and weatherization, in light of the state's relaxation of social distancing restrictions. The Commission acknowledges that, even with the precautions DEO has outlined, some customers will nonetheless refuse access. DEO shall offer to contact such customers at a later date, perhaps in three to six months, to offer an opportunity to receive energy efficiency services. We also deny OPAE's request to direct DEO to start weatherization programs earlier than August 2020 or provide a specific date. As all parties have acknowledged, the pandemic is unpredictable and, as such, DEO should have flexibility to determine when it can safely restart its weatherization program. Further, DEO has indicated that, to the extent customers require weatherization services as part of PIPP

earlier than August 2020, it intends to work with such customers to schedule appointments at a mutually agreeable time. In all other respects, the Commission finds DEO's plan to resume meter testing, meter reading, new service requests, repairs of service line activities, and related performance standards to be reasonable and, therefore, the Company's request to resume compliance with the requirements of Ohio Adm.Code 4901:1-13-04(D) and (G); Ohio Adm.Code 4901:1-13-05(A), (B), (C), and (D); Ohio Adm.Code 4901:1-13-07; and Ohio Adm.Code 4901:1-13-10(B), and related tariff provisions, should be granted.

2. DISCONNECTIONS AND RECONNECTION ACTIVITIES

{¶ 23} DEO states it has suspended disconnections for non-payment since mid-March 2020 and, in that time, attempted to minimize or curtail notices related to such disconnections. DEO intends to resume the issuance of ten-day disconnection notices on or around July 13, 2020, in the hopes of gradually acclimatizing customers to the necessity for payment and the eventual resumption of credit action. Where appropriate, DEO intends to resume disconnections for non-payment on or around August 3, 2020, unless otherwise ordered by the Commission or prohibited by law. Before proceeding with disconnects, DEO plans to attempt to contact every customer subject to service termination and enter into a reasonable payment arrangement such that disconnection of service is not necessary. Given that such arrangements are contingent on customer response and cooperation, DEO indicates it cannot guarantee that termination of service will always be avoidable, and DEO expects that some customers will ultimately be disconnected for non-payment notwithstanding these efforts. DEO states it has continued to disconnect service when requested by the customer or when necessary for safety reasons and expects to continue these types of disconnections going forward. Beginning August 3, 2020, DEO intends to resume active investigation and potential disconnection of situations involving tampering or energy diversion. DEO explains that such activities would already have been subject to disconnection, if necessary for safety reasons.

{¶ 24} OPAE indicates that, while it would prefer a longer moratorium on disconnections than August 3, 2020, this position was rejected by the Commission in its

Supplemental Finding and Order in Case No. 20-637-GA-UNC. Accordingly, OPAE is not restating its position in this proceeding.

{¶ 25} OCC submits that the issuance of disconnection notices beginning July 13, 2020, and resumption of service disconnections on August 3, 2020, is premature because the pandemic is not yet over and forces customers with limited financial resources to prioritize their needs. OCC finds fault with DEO's transition plan because it contains no information on the number of customers who are currently delinquent on their payments, the past due amounts for the delinquencies, the projected financial and social impact that its transition plan will have on consumers, or any financial impact assessments on DEO for continuing the current suspension.

{¶ 26} The Commission recognizes that many customers may continue to experience financial stress as a result of COVID-19 despite the reopening of businesses throughout the state. We note, however, that the options provided residential customers in the winter reconnect order in Case No. 19-1472-GE-UNC, to reconnect service or avoid the disconnection of service, were extended until May 1, 2020. *Emergency Case*, Entry (Mar. 13, 2020) at ¶ 8. In addition, pursuant to the Finding and Order issued on June 3, 2020, DEO deferred all service disconnections for non-payment, failure to provide access, and failure to adhere to PIPP requirements, and will do so until August 2, 2020. Further, residential customers previously disconnected due to non-payment were able to contact DEO for assistance reconnecting service, and the Company also waived late-payment fees and may also waive other payment, application, or verification requirements to ensure service continuity to customers, including PIPP customers. Moreover, pursuant to Ohio Adm.Code 4901:1-18-05(A), DEO is required to offer a customized payment plan when contacted by a customer with a delinquent account, taking into account certain considerations. DEO, as further discussed below, has additionally demonstrated its commitment to contact every customer subject to service termination and work towards a mutually agreeable payment arrangement such that disconnection of service is not necessary. We also find OCC's contention about the lack of granular data in DEO's transition plan regarding customer

payment delinquencies and financial impact to be outside the scope of the plan we directed DEO to file to address the resumption of pre-emergency operations and activities.

{¶ 27} Though we reject OCC's arguments with regard to disconnections, the Commission strongly encourages DEO's customer service representatives and collectors to continue to provide customers with delinquent accounts or who wish to avoid a delinquent account with the extended payment plan options, including PIPP, as set forth in Ohio Adm.Code 4901:1-18-05, and information regarding other available payment assistance. Therefore, the Commission finds DEO's plan to resume disconnection activities and operations to be reasonable, particularly in light of the enhanced customer outreach intended to be conducted by DEO and extended payment options, as further discussed below. Reconnection requirements for PIPP program participants are addressed below.

3. PERCENTAGE OF INCOME PAYMENT PLAN PLUS AND GRADUATE PERCENTAGE OF INCOME PAYMENT PLAN

{¶ 28} DEO proposes to continue the suspension of PIPP anniversary and reverification drops until August 3, 2020. OPAE believes that DEO's commitment to addressing obstacles associated with remaining on PIPP indicates a clear goal to ensure customers who are willing to do their best to stay connected will remain connected.

{¶ 29} OCC urges the Commission to deny DEO's proposal for customers to make payments strictly in accordance with PIPP guidelines or be shut off beginning August 3, 2020. OCC argues the Commission, in its previous Finding and Order in this proceeding, correctly found that customers should not be dropped from PIPP programs for failure to comply with the Commission's eligibility rules during the emergency. Because the COVID-19 state of emergency is still in effect, OCC surmises customers will continue to struggle with unemployment and lost wages. Accordingly, OCC believes customers may have difficulty meeting the payment obligations to prevent disconnections.

{¶ 30} Upon review of DEO's plan, it appears DEO is requesting continuing waivers of Ohio Adm.Code 4901:1-18-12(D), 4901:1-18-16(D), and 4901:1-18-17(A) and (B) for the

suspension of PIPP anniversary and reverification drops until August 3, 2020. In our earlier Finding and Order, we allowed DEO to not remove or drop PIPP participants and Graduate PIPP participants¹ from the programs or prohibit them from enrolling in the programs for not being current, for failure to comply with program requirements as of the customer's anniversary date, or for failure to timely reverify eligibility, finding this waiver consistent with our directives in the *Emergency Case*. Accordingly, we now grant DEO's renewed request, subject to the following modifications. Ohio Adm.Code 4901:1-18-12(D)(2) and (3) and 4901:1-18-16(D) require a PIPP participant to be current on his/her income-based payment due by the participant's anniversary date, or within one billing cycle after the anniversary date. The Commission directs that PIPP income-based payments due or billed to the PIPP participant as of March 12, 2020, through August 2, 2020, which have not been paid by August 3, 2020, shall be added to the PIPP or Graduate PIPP participant's arrearage. If the customer is no longer eligible for PIPP or does not wish to be enrolled in Graduate PIPP, DEO should offer the customer the extended payment plans as discussed and approved in this Supplemental Finding and Order. We strongly encourage DEO to recognize the former PIPP participant's financial circumstances and to be flexible with the extended payment plan offered. PIPP and Graduate PIPP participants for whom installment payments are added to the participant's arrearage shall not be eligible for the incentive pursuant to Ohio Adm.Code 4901:1-18-14, in association with the number of payments added to the arrearage.

{¶ 31} In regard to reverification of PIPP eligibility, we note that, during this state of emergency, the local community action agencies have implemented procedures to facilitate the processing of PIPP applications, including reverification. However, so as not to cause an immediate hardship to PIPP participants, the Commission directs that any PIPP participant, who otherwise would have been required to reverify their eligibility while these

¹ PIPP Plus is an extended payment plan that allows income eligible customers to maintain their gas and electric service by paying a percentage of their monthly household income toward their energy usage. Graduate PIPP Plus is available to customers who are no longer income eligible or no longer wish to participate in PIPP Plus. Customers can be enrolled on Graduate PIPP Plus for 12 months immediately following removal from PIPP Plus.

rules were suspended, including the 60-day grace period, shall be afforded 30 days after August 3, 2020, or until September 2, 2020, to come into compliance with Ohio Adm.Code 4901:1-18-12(D)(1) and 4901:1-18-17(A) and (B).

{¶ 32} Finally, to the extent Ohio Adm.Code 4901:1-18-12(C)(2) requires the PIPP participant to accept weatherization for which the customer is eligible, we recognize that PIPP participants, even with the PPE and other precautions taken, may not be comfortable permitting weatherization personnel in their residence and refuse access. Until the state of Ohio has determined that COVID-19 is no longer a health emergency, PIPP participants may elect not to accept weatherization, without recourse to their eligibility to participate in or to continue participation in the PIPP programs.

4. COLLECTION OF LATE FEES, RECONNECT FEES, AND ARREARAGES, AND STRUCTURE OF PAYMENT PLANS

{¶ 33} Next, DEO explains that it has suspended reconnection fees since mid-March 2020, and will continue this suspension until mid-October, to coincide with the winter reconnect order. DEO also continues to work with customers who were previously disconnected to identify agreeable terms for the reconnection of service, including through expanded payment plans and flexible down payments.

{¶ 34} Similarly, DEO indicates it has not charged deposits since mid-March 2020, and will continue to forgo the collection of deposits until mid-October, to coincide with the winter reconnect order. DEO also intends to implement measures to provide additional financial support to commercial customers as the economy continues to recover. DEO intends to apply outstanding deposits to the balances of commercial customers (as a bill credit), where the account balance is current (i.e., \$50.00 or less in arrears). DEO also plans to make payment plans and budget billing available to such customers, and is developing communications to advise such customers of assistance mechanisms such as the Coronavirus Aid, Relief, and Economic Security Act (CARES Act), as well as commodity-sales shopping resources.

{¶ 35} DEO has also not been charging late payment fees since mid-March 2020, and will continue to waive them, including for customers facing disconnection or requesting reconnection during the emergency. Again, DEO intends to resume late payment fees in mid-October to coincide with the winter reconnect order.

{¶ 36} Finally, DEO states it will continue to offer payment plans as required under Ohio Adm.Code 4901:1-18-05. To provide additional support, DEO has expanded the availability of these plans in the following ways:

- Payment plans will be extended up to 12 months, and to 24 months in exceptional circumstances, from the current maximum of 9 months.
- Customers will be permitted to enroll in payment plans, regardless of payment history or prior broken plans.
- DEO will offer flexible down payments.
- Subject to customer eligibility, DEO will continue to promote the availability of the PIPP program and other assistance programs and work with customers if reasonably possible to address enrollment obstacles.

{¶ 37} As noted above, DEO is also supporting commercial customers through expanded payment plan offerings and customer outreach and will return to normal payment-plan practices in mid-October, to coincide with the winter reconnect order.

{¶ 38} OPAE supports DEO's proposal to continue the suspension of reconnection fees, deposits, and late payment fees until the winter reconnect order is issued. Additionally, OPAE supports the DEO proposal on payment plans and finds the length of the plans, 12 to 24 months, based on circumstances, to be appropriate, given the uncertainty customers face about employment and unemployment benefits. Likewise, OPAE contends that permitting enrollment in payment plans regardless of payment history or prior broken

plans is a clear recognition of the unique situation currently faced by customers and this country as a whole.

{¶ 39} OCC urges the Commission to reject DEO's proposal regarding resuming the collection of late fees, reconnection fees, and deposits in mid-October, coinciding with the Commission's winter reconnect order. Instead, OCC supports continuing a waiver of these charges on an indefinite basis throughout the duration of the emergency and for a reasonable time afterwards. Even if DEO does not waive these fees entirely, OCC believes customers should at least be permitted to defer payment in accordance with the Commission's directive in its previous Finding and Order, to help consumers stay connected to their vital utility services. OCC also recommends the Commission prohibit DEO from reporting customers who defer late fees and delinquent charges to credit reporting agencies because this practice can result in customers being financially harmed long after the pandemic ends.

{¶ 40} The Commission finds DEO's request to resume the collection of reconnection fees, deposits, and late payment fees, in mid-October, coinciding with the winter reconnect order, to be reasonable, particularly in light of the Company's commitment of offering extended payment plans of up to 24 months, which go beyond the directives of Ohio Adm.Code 4901:1-18-05, regardless of payment history or prior broken plans, and promotion of assistance programs like PIPP. However, we direct DEO to not report customers who deferred reconnection fees, deposits, and late payment fees during the Company's emergency plan period to credit reporting agencies. We also strongly encourage DEO's customer service representatives and collectors to continue to provide customers with delinquent accounts with the extended payment plan options, including PIPP, because we do not wish for customer bills to continue to accrue unpaid delinquent charges to the point that the utility bill becomes an insurmountable debt. Resumption of reconnection requirements, including fees and charges, along with the payment plans outlined in Ohio Adm.Code 4901:1-18-05 and the additional options provided by the Company, represents a reasonable plan to transition to pre-emergency activities, operations, and customer

obligations. Accordingly, the Commission finds this aspect of DEO's plan to be reasonable and, therefore, it should be adopted.

5. ADDITIONAL OCC COMMENTS

a. *Customer communication*

{¶ 41} According to OCC, DEO's transition plan is bereft of substantive details regarding communication with customers about the impact of its transition plan. OCC does not believe merely informing customers about the CARES Act and commodity-sales shopping resources is enough. OCC notes there is no information on DEO's website about the availability of CARES Act financial assistance to help consumers, while a review of the Energy Choice Ohio website showed that there are very few competitive offers lower than DEO's standard choice offer.

{¶ 42} We agree with OCC to the extent that the Company's customers must be aware of the available options to maintain their gas utility service during the pandemic, their responsibility for such continued service, and the benefits identified by DEO in its transition plan, such as extended payment plans. Accordingly, the Commission encourages DEO to inform its residential and non-residential customers of its transition plan, including PPE utilization by DEO's employees, resumption of field activities, resumption of disconnection activities, extended payment plan offerings, and other critical components of its transition plan, via its website, its call center representatives, bill message, or bill insert and social media, and other methods, as appropriate.

b. *National Consumer Law Center consumer protections*

{¶ 43} OCC urges the implementation of consumer protection guidelines developed by the National Consumer Law Center (NCLC), titled "Coronavirus Crises: How States Can Help Consumers Maintain Essential Utility Services" into DEO's transition plan. OCC initially attached the NCLC guidelines with its May 13, 2020 comments. OCC has once again attached the guidelines to its current comments. OCC argues DEO's premature and unreasonable proposals in its transition plan highlight the need for a uniform set of

consumer protection guidelines applicable to all Ohio gas utilities. Because we find that DEO's transition plan is reasonable in addressing the issues of service continuity, social distancing, consumer protections, and payment arrangements, including fees and charges, subject to modifications identified above, we once again decline to adopt the NCLC guidelines.

C. Commission Conclusion

{¶ 44} Upon thorough review of DEO's plan to resume pre-emergency activities and operations and intervenors' comments, the Commission finds that the plan should be approved, in part, consistent with this Supplemental Finding and Order.

III. ORDER

{¶ 45} It is, therefore,

{¶ 46} ORDERED, That DEO's plan to resume activities and operations pursuant to certain provisions of the Ohio Administrative Code and related tariff requirements be approved, consistent with this Supplemental Finding and Order. It is, further,

{¶ 47} ORDERED, That DEO take all necessary steps to carry out the terms of this Supplemental Finding and Order. It is, further,

{¶ 48} ORDERED, That a copy of this Supplemental Finding and Order be served upon all interested persons and parties of record.

COMMISSIONERS:

Approving:

Sam Randazzo, Chairman

M. Beth Trombold

Lawrence K. Friedeman

Daniel R. Conway

Dennis P. Deters

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