

**BEFORE  
THE PUBLIC UTILITIES COMMISSION OF OHIO**

In the Matter of the Commission’s            )  
Review of Chapter 4901:1-10 of the        )  
Ohio Revised Code.                                )                                Case No. 12-2050-EL-ORD

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**COMMENTS OF INTERSTATE GAS SUPPLY, INC.,  
IGS GENERATION, LLC, AND IGS SOLAR, LLC  
REGARDING THE PROPOSED TARIFFS OF OHIO POWER COMPANY**

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**I. INTRODUCTION**

In this proceeding, the Commission adopted, through a lengthy, thoughtful process, an amended net metering rule that properly balances the state’s policy to ensure diversity of electricity supplies and suppliers by encouraging the development of distributed generation, with the technological capabilities of the electric distribution utilities’ (“EDUs”) infrastructure.<sup>1</sup> In response, the Ohio Power Company (“AEP Ohio”) filed proposed tariffs in this docket that purport to comply with this new rule. However, AEP Ohio’s proposed net metering tariffs plainly violate the Commission’s new rule and fail to satisfy the Commission’s intended outcome with regard to net metering policy.

The purpose of net metering is to compensate distributed generation resources when the resource produces more electricity than a customer-generator needs. When a customer produces excess electricity, it is provided to the electric grid and consumed by other customers. AEP Ohio’s proposed tariffs, however, would deprive customers of

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<sup>1</sup> Fifth Entry on Rehearing (Dec. 19, 2018) at ¶ 47.

proper compensation for the electrons they have provided to the grid, contrary to the purpose of net metering.

Specifically, AEP Ohio proposes to settle load with a customer's CRES provider at zero for any hourly intervals in which the customer is net negative.<sup>2</sup> "Net negative" means that the customer has delivered more electricity to the grid than it received during the specified interval.<sup>3</sup> The customers settled at hourly intervals—and their competitive retail electric service ("CRES") provider—would experience harm from the proposed tariffs to the supply portion of their bill.<sup>4</sup>

Instead of reflecting the customer's full contribution to the grid during the hour in which the customer-generator is ultimately net negative, AEP Ohio will settle load with the customer's CRES provider at zero and give the customer nothing in return—the electricity is effectively a donation to the grid. As demonstrated below, the net negative during any hourly intervals would not get incorporated into the CRES provider's settlement statement, so the CRES provider could not provide the customer with a corresponding reduction in supply. Thus, despite providing electricity to the grid, the customer will receive no benefit for these electrons. Further, because the proposed tariffs

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<sup>2</sup> See AEP Proposed Tariffs (Apr. 22, 2020) at OAD – Schedule NEMS, 1st Revised Sheet No. 428-2D and OAD - Schedule NEMS-H, Original Sheet No. 429-2D ("Load under this schedule will be settled with the customer's generation supplier at zero for any intervals for which the customer is net negative.").

<sup>3</sup> While some customers are settled at the monthly billing cycle "interval," others are settled at the hourly interval.

<sup>4</sup> According to AEP Ohio, currently, AEP Ohio only performs PJM settlements using actual AMI interval data for AMI customers on a CRES TOU program or shopping customers that have greater than 200 kW of electricity demand; however, this capability is expected to be expanded in the future. *In the Matter of the Application of Ohio Power Company to Initiate its gridSMART Phase 3 Project*, Case No. 19-1475-EL-RDR, Testimony of Scott Osterholt (July 26, 2019) at 47.

lack similar provisions for non-shopping customers, shopping customers would experience prejudice from this treatment.

In addition to directly contradicting a codified rule that requires an EDU to include negative loads in the hourly load calculation,<sup>5</sup> implementation of these tariffs would be discriminatory, as well as contrary to state policy, which favors customer choice and the development of distributed energy resources. Therefore, Interstate Gas Supply, Inc., IGS Generation, LLC, and IGS Solar, LLC (collectively, “IGS” or “IGS Energy”) respectfully request that the Commission direct AEP Ohio to file amended proposed tariffs that comply with Ohio Adm.Code 4901:1-10-28 in its entirety.<sup>6</sup>

## **II. BACKGROUND**

### **A. State Policy Favors Distributed Generation**

Ensuring all customers are fairly compensated for their excess generation has been at the forefront of the Commission’s concerns in this proceeding. Indeed, the State Policy of Ohio is to encourage development of distributed generation resources. R.C. 4928.02(C). It is also the State Policy to “[e]nsure that an electric utility’s transmission and distribution systems are available to a customer-generator or owner of distributed generation, so that the customer-generator or owner can market and deliver the electricity it produces.” R.C. 4928.02(F). Finally, it is the State Policy to encourage development of distributed generation through regular “review and updating of administrative rules governing critical issues such as . . . net metering.” R.C. 4928.02(K).

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<sup>5</sup> “The electric utility shall ensure that any final settlement data sent to a regional transmission organization includes negative loads in the hourly load calculation of any electricity provided to a CRES provider from its customer-generators with hourly interval metering.” Ohio Adm.Code 4901:1-10-28(B)(2)(9)(h).

<sup>6</sup> IGS notes that it did inquire with AEP Ohio about the application of the proposed tariffs prior to filing these comments. Ultimately, however, IGS maintained its position that the proposed tariffs are unlawful.

Initially, the Commission intended to require the EDUs to offer net metering tariffs to only default service customers; however, in response to arguments raised by IGS on rehearing regarding the challenges with properly compensating shopping customers for their excess generation, the Commission reversed its decision.<sup>7</sup>

On rehearing, IGS expressed concern that because of the lack of wide-spread advanced meters and limitations in the EDUs' current billing systems, we would be unable to provide compensation for excess generation to those customers. Ultimately, this placed CRES providers in an untenable position: either provide no compensation to a customer-generator or recommend that the customer revert to default service, under which compensation is provided under the rule.<sup>8</sup> This would be resolved by requiring the EDUs to offer its net metering tariff to all customers.<sup>9</sup>

The Commission agreed, and adopted a rule requiring the EDUs to offer net metering tariffs to all customers.<sup>10</sup> In doing so, the Commission confirmed its desire to ensure customer-generators receive full, non-discriminatory access to the benefits provided by net metering.

## **B. AEP Ohio's Request to Confiscate Excess Electricity**

The easiest way to demonstrate the harm that AEP Ohio's proposed tariffs would bring to the shopping customers with hourly interval metering is through simplified

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<sup>7</sup> Fifth Entry on Rehearing at ¶ 14-16.

<sup>8</sup> *Id.* at ¶ 14.

<sup>9</sup> IGS notes that at the time it submitted its Application for Rehearing, and as ultimately codified, Ohio Adm.Code 4901:1-10-28(B)(2)(9)(h) required the inclusion of net negative loads in a CRES provider's settlement statement.

<sup>10</sup> Fifth Entry on Rehearing at ¶ 16.

examples. In these examples, assume the customer shops for generation and is taking service under AEP Ohio’s Net Metering tariff.

In Example 1 below, over the monthly billing cycle, the customer has imported 900 kWh from the grid and exported 250 kWh. This creates a “**net positive**” for the month of 650 kWh. However, during Hours 12, 13, and 14, the customer has exported more electrons than they received from the grid. This creates a “**net negative**” for these three hourly intervals. As discussed below, this structure would permit AEP Ohio to confiscate any electricity (without compensation) any produced in Hours 12 through 14.

**Example 1: Net Positive Import for Monthly Interval & Net Negative for 3 Hourly Intervals**

<b>1a. Proper Application of Commission Rules</b>			
Hour Interval	Grid Import (kWh)	Grid Export (kWh)	CRES Settled Amount
HE 1	50	0	50
HE 2	50	0	50
HE 3	50	0	50
HE 4	50	0	50
HE 5	50	0	50
HE 6	50	0	50
HE 7	100	0	100
HE 8	100	0	100
HE 9	100	0	100
HE 10	100	0	100
HE 11	100	0	100
HE 12	0	100	-100
HE 13	0	100	-100
HE 14	0	50	-50
HE 15	50	0	50
HE 16	50	0	50
And the hours continue through the remainder of the billing period...			
<b>Total</b>	<b>900</b>	<b>250</b>	<b>650</b>

<b>1b. AEP Ohio’s Proposed Tariff</b>			
Hour Interval	Grid Import (kWh)	Grid Export (kWh)	CRES Settled Amount
HE 1	50	0	50
HE 2	50	0	50
HE 3	50	0	50
HE 4	50	0	50
HE 5	50	0	50
HE 6	50	0	50
HE 7	100	0	100
HE 8	100	0	100
HE 9	100	0	100
HE 10	100	0	100
HE 11	100	0	100
HE 12	0	100	0
HE 13	0	100	0
HE 14	0	50	0
HE 15	50	0	50
HE 16	50	0	50
And the hours continue through the remainder of the billing period...			
<b>Total</b>	<b>900</b>	<b>250</b>	<b>900</b>

Per the Commission's rules, the EDU measures the net electricity produced or consumed during the billing period, in accordance with normal metering practices.<sup>11</sup> For those customer-generators on the EDU's net metering tariff, if the EDU receives more electricity from the customer-generator than it delivered to the customer-generator over a monthly billing cycle, the excess electricity shall be converted to a monetary credit.<sup>12</sup> If the electricity delivered by the EDU exceeds the electricity received from the customer-generator over the monthly billing cycle, then the customer-generator shall be billed for the net electricity consumed.<sup>13</sup>

In the above example, AEP Ohio received 250 kWh from the customer-generator and delivered 900 kWh over the monthly billing cycle. Thus, the generation delivered by the EDU exceeds the electricity received from the customer.

Example 1a. shows proper implementation of the Commission's rules, with the customer-generator billed for the net electricity consumed, or 650 kWh, for the monthly billing cycle. In order to accomplish this, Ohio Adm.Code 4901:1-10-28(B)(2)(9)(h) requires an EDU to include negative loads from customer-generators in the hourly load calculations settled with PJM. As shown in Example 1a., the 250 kWh of generation provided to the grid by the customer during the "net negative" hourly intervals of Hours 12, 13, and 14, is recognized through a reduction in the CRES provider's supply requirements. The CRES provider can then reduce the customer's supply charges by 250 kWh.

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<sup>11</sup> Ohio Adm.Code 4901:1-10-28(B)(2)(9)(a).

<sup>12</sup> Ohio Adm.Code 4901:1-10-28(B)(2)(9)(c).

<sup>13</sup> Ohio Adm.Code 4901:1-10-28(B)(2)(9)(b).

However, AEP Ohio's proposed tariffs fail to adhere to this rule. Instead, as seen in Example 1b, the CRES provider, so ultimately the customer, is not provided any value for the 250 kWh the customer provided to the grid during Hours 12 through 14. This is because AEP Ohio's proposed tariff states that "Load under this schedule will be settled with the customer's generation supplier at zero for any intervals for which the customer is net negative."<sup>14</sup> Instead, AEP Ohio would donate these electrons to unaccounted for energy with nothing provided in exchange to the customer.<sup>15</sup> This is simply unreasonable.

Harm can occur when the customer is net negative for the monthly billing cycle as well. Example 2 below represents a customer that has provided more electricity to the grid than was delivered over the monthly billing cycle, with the customer importing a total of 500 kWh from the grid while exporting 600 kWh produced on-site. This creates a 100 kWh net excess at the end of the monthly billing cycle. While the customer should receive a monetary credit for the monthly excess of 100 kWh, the customer is deprived of any compensation for the "net negative" specific hourly intervals of Hours 10, 11, 12, 13, 14, and 15.

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<sup>14</sup> AEP Proposed Tariffs (Apr. 22, 2020) at OAD – Schedule NEMS, 1st Revised Sheet No. 428-2D and OAD - Schedule NEMS-H, Original Sheet No. 429-2D (emphasis added).

<sup>15</sup> *Id.*

**Example 2: Net Negative for Monthly Interval & 6 Hourly Intervals**

<b>2a. Proper Application of Commission Rules</b>			
Hour Interval	Grid Import (kWh)	Grid Export (kWh)	CRES Settled Amount
HE 1	50	0	50
HE 2	50	0	50
HE 3	50	0	50
HE 4	50	0	50
HE 5	50	0	50
HE 6	50	0	50
HE 7	50	0	50
HE 8	50	0	50
HE 9	100	0	100
HE 10	0	100	-100
HE 11	0	100	-100
HE 12	0	100	-100
HE 13	0	100	-100
HE 14	0	100	-100
HE 15	0	100	-100
And the hours continue through the remainder of the billing period...			
<b>Total</b>	<b>500</b>	<b>600</b>	<b>-100</b>
<b>Total with 7<sup>th</sup> Entry on Rehearing Clarification</b>	<b>500</b>	<b>600</b>	<b>0</b>

<b>2b. AEP Ohio's Proposed Tariff</b>			
Hour Interval	Grid Import (kWh)	Grid Export (kWh)	CRES Settled Amount
HE 1	50	0	50
HE 2	50	0	50
HE 3	50	0	50
HE 4	50	0	50
HE 5	50	0	50
HE 6	50	0	50
HE 7	50	0	50
HE 8	50	0	50
HE 9	100	0	100
HE 10	0	100	0
HE 11	0	100	0
HE 12	0	100	0
HE 13	0	100	0
HE 14	0	100	0
HE 15	0	100	0
And the hours continue through the remainder of the billing period...			
<b>Total</b>	<b>500</b>	<b>600</b>	<b>500</b>

Properly applying the Commission’s net metering rules, as seen in blue in Example 2a., the EDU includes the net negative loads in Hours 10 through 15 in the hourly load calculations for CRES provider settlement purposes to reflect the generation provided by the customer to the grid during these intervals. “The electric utility shall ensure that any final settlement data sent to a regional transmission organization includes negative loads in the hourly load calculation of any electricity provided to a CRES provider from its

customer-generators with hourly interval metering.” Ohio Adm.Code 4901:1-10-28(B)(2)(9)(h). This reduces the customer’s CRES provider’s load obligations, which in turn enables the CRES provider to reduce the supply portion of the customer’s bill to account for these contributions.

Additionally, as noted above, the rules dictate that “when the electric utility receives more electricity from the customer-generator than it supplied to the customer-generator over a monthly billing cycle, the excess electricity shall be converted to a monetary credit at the energy component of the electric utility’s standard service offer.”<sup>16</sup> In Example 2, at the end of the monthly billing cycle, AEP Ohio has received more electricity, 600 kWh, from the customer-generator than it supplied, 500 kWh. This results in net excess, or “net negative,” of 100 kWh of generation for the monthly billing cycle. Thus, under Ohio Adm.Code 4901:1-10-28(B)(2)(9)(c), AEP Ohio is required to convert the net excess electricity, 100 kWh, to a monetary credit provided to this customer.

It is here that a clarification in the Seventh Entry on Rehearing steps in to prevent the customer from receiving a benefit for these 100 kWh from *both* the CRES provider *and* the EDU. As established in the Seventh Entry on Rehearing, no reduction past zero should be recognized on the CRES provider’s settlement statement for the monthly billing cycle when the EDU is responsible for the conversion of the net negative generation into a monetary credit, here 100 kWh.

Thus, if the customer is net negative over the monthly billing cycle, the EDU should settle with PJM for the CRES provider using the net negative amounts for a given hour but for only as long as the customer’s cumulative received kWh is less than the customer’s

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<sup>16</sup> Ohio Adm.Code 4901:1-10-28(B)(2)(9)(c).

total exported kWh for that month. Upon reaching the “breaking point” for that billing cycle – that is, when the energy received by the utility is greater than the amount delivered to the customer in total for the month – then the remaining generation received by the utility should be reflected in unaccounted for energy. This is shown in Example 2a. and results in a balanced approach that provides the customer with a benefit for all of the electrons it has provided to the grid: a reduction in supply for 500 kWh and a monetary credit for 100 kWh.

However, once again, AEP Ohio’s proposed tariffs’ failure to comply to the Commission’s rules produces an unjust and unreasonable result for shopping customers in the supply portion of the bill. Under AEP Ohio’s proposed tariffs, the CRES provider’s settlement statement does not reflect the kilowatt-hours that the customer exported to the grid in Hours 10 through 15 because load is settled “at zero for any intervals for which the customer is net negative.”<sup>17</sup> The result is that the customer would not be provided any compensation for 500 kWh of the electrons it provided to the grid. Without recognition of the negative hourly loads into the settlement process, as required by Ohio Adm.Code 4901:1-10-28(B)(2)(9)(h), the CRES provider cannot provide the customer a reduction to the total generation bill. The 500 kWh of generation provided to the grid by the customer during these negative intervals should not be simply donated to unaccounted for energy, with the customer receiving no benefit in exchange for the electrons. This is unreasonable.

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<sup>17</sup> AEP Proposed Tariffs (Apr. 22, 2020) at OAD – Schedule NEMS, 1st Revised Sheet No. 428-2D and OAD - Schedule NEMS-H, Original Sheet No. 429-2D.

Fortunately, the Commission has established a rule that would prevent the unreasonable results demonstrated in Examples 1b. & 2b. from occurring.<sup>18</sup> By including negative loads in the hourly load calculation, as required by Ohio Adm.Code 4901:1-10-28(B)(2)(9)(h), the Commission has ensured that shopping customers are compensated for all of the electrons they have provided to the grid. AEP Ohio's proposed tariffs must be amended to reflect this equitable provision.

### III. ARGUMENT

#### A. **AEP Ohio's proposed net metering tariffs are contrary to the Commission's codified rules.**

First and foremost, the proposed net metering tariffs filed by AEP Ohio in this proceeding directly violate one of the Commission's newly codified rules. AEP Ohio's proposed tariffs state "Load under this schedule will be settled with the customer's generation supplier **at zero for any intervals** for which the customer is net negative."<sup>19</sup> However, Ohio Adm.Code 4901:1-10-28(B)(2)(9)(h) explicitly states: "The electric utility shall ensure that any final settlement data sent to a regional transmission organization **includes negative loads in the hourly load calculation** of any electricity provided to a CRES provider from its customer-generators with hourly interval metering." Thus, instead of including negative loads in the hourly interval calculations as required under the rule, AEP Ohio's tariffs would settle the hourly intervals at zero. Because AEP Ohio's proposed tariffs plainly violate the Commission's current rule, the Commission should direct AEP

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<sup>18</sup> See Ohio Adm.Code 4901:1-10-28(B)(2)(9)(h).

<sup>19</sup> AEP Proposed Tariffs (Apr. 22, 2020) at OAD – Schedule NEMS, 1st Revised Sheet No. 428-2D and OAD - Schedule NEMS-H, Original Sheet No. 429-2D (emphasis added).

Ohio to amend its tariffs to properly reflect the outcome dictated by Ohio Adm.Code 4901:1-10-28(B)(2)(9)(h).

**B. The Commission’s Seventh Entry on Rehearing is consistent with and complements the rule.**

IGS Energy is concerned that AEP Ohio’s blatant disregard of the Commission’s rule is based upon an incorrect interpretation of the Commission’s final order in this proceeding. On rehearing, AEP Ohio argued that if the Commission continues to require EDUs to offer net metering to shopping customers, the Commission should clarify that an EDU’s load settlements for PJM should not reflect net negative usage for shopping customers because “[n]o reduction past zero should be recognized if the EDU is responsible for the payment of net negative generation.”<sup>20</sup> IGS and the Commission agreed.<sup>21</sup>

However, this provision does not conflict or negate the codified rule that the EDUs must include negative loads in the hourly load calculations for CRES providers, rather it complements it. While the rule speaks to *hourly intervals*, the clarification on rehearing speaks to *monthly billing cycles*. The Seventh Entry on Rehearing establishes that because Ohio Adm.Code 4901:1-10-28(B)(2)(9)(c) requires an EDU to provide customers on its net metering tariff with credit for net negative generation at the end of the monthly billing cycle interval, the customer should not receive an additional reduction in supply (or some other benefit) from its CRES provider for the same excess generation. Thus, an

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<sup>20</sup> Seventh Entry on Rehearing (Feb. 27, 2019) at ¶ 23; Application for Rehearing of Ohio Power Company (Jan. 18, 2019) at 8-9.

<sup>21</sup> Seventh Entry on Rehearing at ¶ 24-25.

adjustment is needed to account for any net excess at the end of the monthly billing cycle. In other words, as stated by AEP Ohio, “[n]o reduction past zero should be recognized if the EDU is responsible for the payment of net negative generation.”<sup>22</sup> Indeed, as the EDU is only responsible for the payment of net negative generation at the end of the monthly billing cycle, this clarification simply cannot apply to hourly intervals.

These principles become even more evident through a review of the Seventh Entry on Rehearing and the discrimination against shopping customers that would occur through the implementation of AEP Ohio’s proposed tariffs.

1. *The Commission approved the requested clarification on rehearing from AEP Ohio in order to prevent a customer from receiving a benefit from both the EDU and the CRES provider.*

An examination of the Seventh Entry on Rehearing provides a clear picture of its proper application. Significantly, AEP Ohio did not request, nor did the Commission direct, for this to apply to hourly load calculations. In fact, in AEP Ohio’s Application for Rehearing it specifically requested that the Commission “limit the load settling process from the EDU to zero usage for customers ***without interval meters.***”<sup>23</sup> For those customers, the only way to have a net negative usage is on a monthly billing cycle basis. Therefore, hourly intervals were not within the scope of the request.

Additionally, AEP Ohio asked for a “clarification” on rehearing regarding net negative generation. A complete abrogation of a rule, as AEP Ohio’s proposed application would be, is certainly not a “clarification.” Also significant, in response, the Commission

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<sup>22</sup> Application for Rehearing of Ohio Power Company (Jan. 18, 2019) at 8-9 (emphasis added).

<sup>23</sup> *Id.* at 8.

granted rehearing but did not modify the rule. Thus, the Commission must have believed that the rule and its holding do not contradict each other.

Further, AEP Ohio's arguments in support of its requested clarification are only logical when referencing a net negative at the monthly billing period interval, not at an hourly interval. For example, AEP Ohio argued that "if the CRES provider is passing savings through to the net metered customer-generator, that customer is being compensated twice for the same net negative usage."<sup>24</sup> For this scenario to occur, the CRES provider and the EDU must both be providing compensation for the net negative generation. Yet under Ohio Adm.Code 4901:1-10-28(B)(2)(9)(c), the EDU *only* provides compensation when the EDU receives more electricity from the customer than the EDU delivered *over a monthly billing cycle*. Thus, the only interval where a customer could possibly be compensated twice for the same net negative usage would be at the end of the monthly billing cycle when the EDU's credit obligation applies. This is the precise issue the Commission addressed in the Seventh Entry on Rehearing through AEP Ohio's requested clarification and agreed to by IGS.

*2. Implementation of AEP Ohio's proposed tariff would be discriminatory against shopping customers and violate state policy.*

As demonstrated above by Examples 1 & 2, AEP Ohio's application of the net metering rule would fail to fully compensate shopping customer-generators with hourly interval metering for the electrons they provide to the grid. Unfortunately, the harm does not end there.

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<sup>24</sup> *Id.* at 9.

Notably, this inequitable treatment would only apply to shopping customers. The provision regarding the treatment of net negative intervals is only found in the proposed Open Access Distribution – Schedule Net Energy Metering Service.<sup>25</sup> There is no similar provision in the proposed tariffs for default service customers. Thus, if the customer in Example 1 became a default service customer, all 500 kWh of the net negative generation from Hours 10 to 15 would be matched with a reduction in supply charges. There would be no risk of electrons disappearing through the prejudicial settlement process proposed for shopping customers, something contrary to the anti-discriminatory policy emphasized by the Commission on rehearing.

Ultimately, AEP Ohio's proposed tariffs will return IGS to an untenable provision the Fifth Entry on Rehearing expressly sought to avoid: either provide no compensation to a customer-generator for any net negative hourly intervals or recommend that the customer revert back to default service in order to receive proper compensation for this generation.<sup>26</sup> This outcome would be extremely prejudicial to CRES providers and its customers, as well as disincentivize and discourage these customers from seeking energy alternatives, which directly conflicts with the Commission's stated goals of its net metering rules and policies.<sup>27</sup> Therefore, AEP Ohio's proposed net metering tariffs should be rejected.

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<sup>25</sup> Compare AEP Ohio Proposed Net Metering Tariffs, Schedule NEMS at 1st Revised Sheet No. 428-2 with OAD – Schedule NEMS at 1st Revised Sheet No. 428-2D and Schedule NEMS-H at 1st Revised Sheet No. 429-2 with OAD-Schedule NEMS-H at Original Sheet No. 429-2D.

<sup>26</sup> Fifth Entry on Rehearing at ¶ 14, 16.

<sup>27</sup> *Id.* at ¶ 47 (stating that the net metering rule should “encourage the deployment of distributed generation in this state in accordance with the state policy set forth in R.C. 4928.02(C), (E) and (K).”)

In addition, AEP Ohio should be directed to file amended tariffs that are consistent with Commission's in the underlying rulemaking proceeding. IGS recommends that the unlawful portion of the proposed tariffs<sup>28</sup> should be replaced with the following:

Final settlement data sent to a regional transmission organization will include negative loads in the hourly load calculation of any electricity provided to a CRES provider from its customer-generators with hourly interval metering. Load from a customer-generator will be incorporated in the CRES provider's total hourly energy obligation reported to the regional transmission organization, but it will not reduce the CRES provider's load obligation below zero kilowatt hours for the total monthly billing cycle. When the customer-generator provides more electricity than the customer-generator was supplied over a monthly billing cycle, the excess electricity will be reflected in unaccounted for energy.

This language properly reflects the requirements in Ohio Adm.Code 4901:1-10-28(B)(2)(9)(h), while incorporating the clarification the Commission made in the Seventh Entry on Rehearing, and thus, should be approved.

#### **IV. CONCLUSION**

As demonstrated above, AEP Ohio's proposed net metering tariffs violate Ohio Adm.Code 4901:1-10-28(B)(2)(9)(h). Therefore, IGS respectfully requests that the Commission direct AEP Ohio to file revised net metering tariffs, consistent with the suggested language provided above, that ensure any final settlement data sent to the regional transmission organization includes negative loads in the hourly load calculation of any electricity provided to a CRES provider from its customer-generators with hourly interval metering capabilities.

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<sup>28</sup> "Load under this schedule will be settled with the customer's generation supplier at zero for any intervals for which the customer is net negative. For settlement purposes, the negative portion of load will be reflected in unaccounted for energy." AEP Proposed Tariffs (Apr. 22, 2020) at OAD – Schedule NEMS, 1st Revised Sheet No. 428-2D and OAD - Schedule NEMS-H, Original Sheet No. 429-2D.

Respectfully submitted,

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## CERTIFICATE OF SERVICE

I certify that this *Comments of Interstate Gas Supply, Inc.* was filed electronically through the Docketing Information System of the Public Utilities Commission of Ohio on October 27, 2020. The Commission's e-filing system will electronically serve notice of the filing of this document on those subscribed to these proceedings. Additionally, notice was provided to those listed below.

/s/ Bethany Allen

Bethany Allen

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