

# THE PUBLIC UTILITIES COMMISSION OF OHIO

IN THE MATTER OF THE COMMISSION'S  
REVIEW OF OHIO ADMINISTRATIVE  
CODE CHAPTERS 4901:1-17 AND 4901:1-  
18.

CASE NO. 19-52-AU-ORD

## ENTRY ON REHEARING

Entered in the Journal on December 30, 2020

### I. SUMMARY

{¶ 1} The Commission grants the applications for rehearing for further consideration of the matters specified in the applications for rehearing.

### II. DISCUSSION

{¶ 2} R.C. 111.15(B) and R.C. 106.03(A) require all state agencies to conduct a review of their rules, every five years, to determine whether the rules should be continued without change, amended, or rescinded.

{¶ 3} In accordance with R.C. 121.82, in the course of developing draft rules, the Commission must evaluate the rules against the business impact analysis (BIA). If there will be an adverse impact on businesses, as defined in R.C. 107.52, the agency is to incorporate features into the draft rules to eliminate or adequately reduce any adverse impact. Furthermore, the Commission is required, pursuant to R.C. 121.82, to provide the Common Sense Initiative office the draft rules and the BIA.

{¶ 4} In accordance with R.C. 121.95(F), a state agency may not adopt a new regulatory restriction unless it simultaneously removes two or more other existing regulatory restrictions.

{¶ 5} By Entry issued January 14, 2019, this proceeding was initiated to commence the Commission's five-year review of the rules contained in Ohio Adm.Code Chapters 4901:1-17 and 4901:1-18 regarding establishment of credit for residential service and termination of residential service. Included among the rules in Ohio Adm.Code Chapter

4901:1-18 are the provisions for the gas Percentage of Income Payment Plan Plus program. The January 14, 2019 Entry also scheduled a workshop for interested stakeholders on February 5, 2019.

{¶ 6} The workshop was held, as scheduled, on February 5, 2019.

{¶ 7} After evaluating the rules and taking into consideration the comments made at the workshop, the Commission issued Staff's proposed amendments to the rules along with the BIAs on June 19, 2019.

{¶ 8} On November 4, 2020, the Commission issued its Finding and Order adopting amendments to certain rules in Ohio Adm.Code Chapters 4901:1-17 and 4901:1-18.

{¶ 9} R.C. 4903.10 provides for the filing of applications for rehearing with respect to any matters determined by the Commission within 30 days of the entry of the order upon the Commission's journal.

{¶ 10} On December 4, 2020, applications for rehearing were filed by: Columbia Gas of Ohio, Inc. (Columbia); Duke Energy Ohio, Inc. (Duke); Ohio Partners for Affordable Energy (OPAE); and jointly by Advocates for Basic Legal Equality, Inc., The Legal Aid Society of Cleveland, The Legal Aid Society of Columbus, Legal Aid Society of Southwest Ohio, LLC, Ohio Consumers' Counsel (OCC), Ohio Poverty Law Center, Pro Seniors, Inc., and Southeastern Ohio Legal Services (collectively, Consumer Advocates).

{¶ 11} On December 14, 2020, memoranda contra the various applications for rehearing were filed by Duke, The East Ohio Gas Company dba Dominion Energy Ohio, and jointly by The Cleveland Electric Illuminating Company, Ohio Edison Company, and The Toledo Edison Company.

{¶ 12} The Commission finds that the applications for rehearing filed by Columbia, Duke, OP&E, and Consumer Advocates should be granted for further consideration of the matters specified in the applications for rehearing.

### III. ORDER

{¶ 13} It is, therefore,

{¶ 14} ORDERED, That the applications for rehearing filed by Columbia, Duke, OP&E, and Consumer Advocates be granted for further consideration of the matters specified in the applications for rehearing. It is, further,

{¶ 15} ORDERED, That a copy of this Entry on Rehearing be served upon the electric listserve, electric distribution companies, natural gas listserve, water listserve, all certified competitive retail electric service providers, certified competitive retail natural gas service suppliers, OCC, Ohio Development Services Agency, the Ohio Gas Association, the Petroleum Council, the Ohio Oil and Gas Association, and all other interested persons of record.

COMMISSIONERS:

*Approving:*

M. Beth Trombold  
Lawrence K. Friedeman  
Daniel R. Conway  
Dennis P. Deters

GNS/hac

**This foregoing document was electronically filed with the Public Utilities**

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**Case No(s). 19-0052-AU-ORD**

Summary: Entry granting the applications for rehearing for further consideration of the matters specified in the applications for rehearing electronically filed by Heather A Chilcote on behalf of Public Utilities Commission of Ohio