

**BEFORE  
THE PUBLIC UTILITIES COMMISSION OF OHIO**

In the Matter of Establishing the Solar :  
Generation Fund Rider Pursuant to : Case No. 21-447-EL-UNC  
R.C. 3706.46 :

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**COMMENTS OF INDUSTRIAL ENERGY USERS-OHIO**

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**MAY 18, 2021**

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The Staff of the Public Utilities Commission of Ohio (“Staff” or “Commission” as appropriate) has set forth a recommended allocation and rate design methodologies for the Solar Generation Clean Air Fund (“SGF”) Riders that are reasonable and should be approved.

**I. BACKGROUND**

Amended Substitute House Bill 128 (“HB 128”) was recently signed into law and is scheduled to take effect on June 30, 2021. Among other things, HB 128 repeals certain provisions of Amended Substitute House Bill 6 (“HB 6”) enacted by the 133<sup>rd</sup> General Assembly, and specifically the payments to nuclear generating facilities from the Clean Air Fund created through HB 6. However, HB 128 retains the payments to eligible solar generation facilities, which will be funded through charges levied by electric distribution utilities (“EDU”) as approved by the Commission. The charges are to be designed to produce an annual revenue requirement of \$20,000,000.

On April 19, 2021, Commission Staff submitted comments recommending the methodology to establish charges under the SGF Rider for each EDU. The Commission Staff recommended that:

- The monthly charge for all residential customers shall be \$0.10, including Commercial Activities Taxes (CAT).
- The annual revenue requirement for non-residential customers shall be calculated by subtracting the revenue projected to be collected from residential customers from the total revenue requirement.
- The monthly charge for all non-residential customers shall be a dollar per kWh (\$/kWh) charge for all kWh used up to 833,000 per customer per month.
- The monthly charges for customers eligible to become self-assessing purchasers shall be equal to the non-residential monthly charge and shall not exceed two-hundred forty-two dollars, including CAT.
- Each EDU shall update its Rider SGF annually. The revenue requirement for the annual updates will be adjusted for any over or under recovery of revenues during the prior period(s).
- Each EDU shall provide to Staff the necessary data to calculate the non-residential charge 60 days prior to the effective date of Rider SGF. This data shall include the projected annual number of residential bills and the projected non-residential annual kWh for all kWh up to 833,000 kWh per customer per month.
- Each EDU shall file their annual application filing no later than 45 days prior to the effective date of the proposed Rider SGF.
- Each EDU shall file semi-annual reports to the Staff that provide the monthly revenues collected from its residential and non-residential customers through Rider SGF.

## II. COMMENTS

Industrial Energy Users-Ohio ("IEU-Ohio") supports the revenue allocation and rate design methodologies proposed by Commission Staff. IEU-Ohio believes the Staff proposal accurately reflects the letter and spirit of HB 128. Moreover, similar revenue allocation and rate design methodologies have already been approved by the Commission for another charge authorized under HB 6.<sup>1</sup> Customers and stakeholders are familiar with these methodologies, and under the circumstances of the SGF riders, are reasonable and avoid rate shock or other unreasonable outcomes.

## III. CONCLUSION

IEU-Ohio recommends the Commission approve Staff's proposed revenue allocation and rate design methodologies for the SGF Riders.

Respectfully submitted,

*/s/ Matthew R. Pritchard*

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<sup>1</sup> In the Matter of Establishing the Nonbypassable Recovery Mechanism For Net Legacy Generation Resource Costs Pursuant To R.C. 4928.148, Case No. 19-1808-EL-UNC, November 21, 2019 Entry.

## **CERTIFICATE OF SERVICE**

In accordance with Rule 4901-1-05, Ohio Administrative Code, the PUCO's e-filing system will electronically serve notice of the filing of this document upon the following parties. In addition, I hereby certify that a service copy of the foregoing *Comments of Industrial Energy Users-Ohio*, was sent by, or on behalf of, the undersigned counsel for IEU-Ohio to the following parties of record this 18th day of May, 2021, *via* electronic transmission.

/s/ Matthew R. Pritchard

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Summary: Comments of Industrial Energy Users-Ohio electronically filed by Mr. Matthew R. Pritchard on behalf of Industrial Energy Users-Ohio