

marketers. Shadow billing should be required and made public, for consumer protection against high prices charged by marketers.³

Unfortunately, the Retail Energy Supply Association would have the PUCO harm the public with *less* transparency and *less* information for consumers. RESA said that the PUCO “should also revise the reporting requirements to mandate annual rather than quarterly reporting for those competitive suppliers that remain under an obligation to file market reports.”⁴

For consumer protection, the PUCO should retain the quarterly reporting requirements, consistent with our advocacy for more transparency and more information for consumers. Quarterly reports (coupled with public filing the of reports) will provide consumers with better information. Better information could help consumers avoid wasting their hard-earned money on inflated marketer offers for energy, among other things.

As noted in OCC’s comments, two reports showed that the greatest consumer benefit for saving money on energy choices came from the utilities’ standard offers.⁵ This result has been validated by the shadow billing performed by Columbia Gas, AEP and Duke (natural gas). Their data show that in the aggregate consumers lose money buying energy from marketers instead of from the utilities. To protect consumers, the PUCO

³ *See Id.*

⁴ RESA Initial Comments at 1 (January 7, 2022).

⁵ PUCO Electric Choice Activity for November 2021 link: <https://app.powerbigov.us/view?r=eyJrIjoiaZTliZDEzNGEtZjIhYi00YWVlThjZjktMGZmNDg4OWE4ZDFkIiwidCI6IjUwZjhmY2M0LTk0ZDgtNGYwNy04NGViLTM2ZWQ1N2M3YzhhMiJ9>; Thomas, Henning, Bowen, Hill and Kanter “Update on Electricity Customer Choice in Ohio: Competition Continues to Outperform Traditional Monopoly Regulation” August 9, 2019 at page 7.

should require energy utilities to publicly report and file shadow billing data when marketers are operating in their service areas.

Further, the PUCO should be annually reporting to the public information about how consumers fared (or could have fared) in the wholesale market as reflected in the utilities' standard offers. The people's state regulator, the PUCO, should not be a mere bystander as Ohioans lose money to marketers.

Properly functioning competitive markets with informed consumers result in benefits to Ohioans. The more detailed the public reporting of market information, the better for consumers.

Respectfully submitted,

Bruce Weston (0016973)
Ohio Consumers' Counsel

/s/ William J. Michael
William J. Michael (0070921)
Counsel of Record
Assistant Consumers' Counsel

Office of the Ohio Consumers' Counsel
65 East State Street, Suite 700
Columbus, Ohio 43215
Telephone [Michael]: (614) 466-1291
william.michael@occ.ohio.gov
(willing to accept service by email)

CERTIFICATE OF SERVICE

I hereby certify that a copy of this Consumer Protection Reply Comments was served on the persons stated below via electronic transmission, this 19th day of January 2022.

/s/ William J. Michael _____
William J. Michael
Assistant Consumers' Counsel

The PUCO's e-filing system will electronically serve notice of the filing of this document on the following parties:

SERVICE LIST

john.jones@ohioAGO.gov
Fdarr2019@gmail.com

stnourse@aep.com

Attorney Examiner:
james.lynn@puco.ohio.gov

**This foregoing document was electronically filed with the Public Utilities
Commission of Ohio Docketing Information System on**

1/19/2022 4:11:54 PM

in

Case No(s). 21-0478-EL-ORD

Summary: Comments Consumer Protection Reply Comments by Office of the Ohio Consumers' Counsel electronically filed by Ms. Alana M. Noward on behalf of Michael, William J.