

**BEFORE
THE PUBLIC UTILITIES COMMISSION OF OHIO**

In the Matter of the Application of)	
The East Ohio Gas Company D/B/A)	
Dominion Energy Ohio for Approval)	
of An Alternative Form of Regulation)	Case No. 21-1109-GA-ALT
to Continue and Expand its)	
Demand-Side Management and)	
Energy Efficiency Programs.)	

**OBJECTIONS TO THE STAFF REPORT OF INVESTIGATION OF
OHIO PARTNERS FOR AFFORDABLE ENERGY**

INTRODUCTION

Ohio Partners for Affordable Energy (“OPAE”), a party to the above-captioned case, hereby submits these objections to the Staff Report of Investigation (“Staff Report”), and a summary of major issues in these cases. The Staff Report was originally filed with the Public Utilities Commission of Ohio (“Commission”) on March 29, 2022, in this matter concerning the Application of the East Ohio Gas Company d/b/a Dominion Energy Ohio (“Dominion”) for authority to continue and expand Dominion’s portfolio of demand-side management and energy efficiency (“DSM/EE”) programs. Dominion filed the Prefiling-Notice of the intent to file an Application on October 29, 2021.

OPAE submits the following objections to the Staff Report.

OBJECTIONS

I. OPAE objects to the failure of the Staff Report to endorse the DSM program increase and expansion as proposed by Dominion. Staff Report at 3-4.

The Staff Report declines to approve the DSM program increase and expansion proposed by Dominion, though the report notes that “Dominion is in compliance with R.C. 4905.35 and is currently in substantial compliance with the policy of this state specified in R.C. 4929.02, and is expected to remain in substantial compliance with this policy in the event the Commission would allow the implementation of the alternative rate plan.” Staff Report at 3. Staff objects to Dominion’s proposal because the Commission was, at the time, conducting workshops “to discuss and evaluate the role of energy efficiency in the state Ohio.” Id. Staff stated that due to these workshops Dominion’s request was not reasonable at that time.

The Staff position is not reasonable and contrary to the requirements of R.C. 4905.70 which states:

The public utilities commission shall initiate programs that will promote and encourage conservation of energy and a reduction in the growth rate of energy consumption, promote economic efficiencies and take into account long-run incremental costs.

The law requires the Commission to promote and encourage the conservation of energy and reductions in the grow rate of energy consumption. The Staff Report should reflect current law, not now-concluded workshops designed to discuss policy but without any obligation to issue any precedent or direction. Further, even if the workshops were designed to announce a policy direction, the Commission, as a

creature of statute, cannot ignore the statutory directive in R.C. 4905.70 to promote and encourage conservation and energy reduction programs.

The workshops were born out of Case No. 19-2084-GA-UNC. The Commission stated in that Opinion and Order that the Commission intended to hold the workshops to obtain stakeholder input and discussions on whether the competitive marketplace may provide a more efficacious delivery mechanism for any particular EE produce or service. Opinion and Order ¶73. The Commission originally announced the workshops on August 11, 2021¹, and then rescheduled them on September 1, 2021.² Neither announcement contained a docket number or any information regarding any obligation for the Commission to issue a final report or take additional action upon the conclusion of the workshops. Instead, the announcements simply stated,

The PUCO will host a series of energy efficiency workshops to solicit the views of stakeholders on whether cost-effective energy efficiency programs are an appropriate tool to manage electric generation costs, and how those fit into Ohio's competitive electric and natural gas marketplaces.³

Five different workshops were held and each included robust discussion from stakeholders and questions from the Commissioners. OPAE would like to again thank the Commission for hosting the workshops and allowing OPAE the opportunity to participate. The workshops were an incredible tool to take stock of where energy efficiency is and where it should be in Ohio moving forward. Now is the time to move forward.

¹ <https://puco.ohio.gov/news/energy-efficiency-workshop>

² <https://puco.ohio.gov/news/energy-efficiency-workshop-rescheduled>

³ <https://puco.ohio.gov/news/energy-efficiency-workshop>

Staff's rejection of Dominion's proposed increase because of a series educational workshops is misplaced and not proper. The workshops have concluded and there is no indication the Commission intended them to be anything but educational. If the Commission intended the workshops to act as a prohibition on the consideration of any DSM or EE program changes it could have stated that in the announcement.

The Commission made no such statement. It is prejudicial to both Dominion and low-income residential customers, for Staff to now reject proposed programs based on speculation that the Commission may do something the Commission has never indicated it had any intention of doing. The Staff Report's finding that Dominion's proposal is not reasonable at this time is based on a rationale that is not supported by the facts surrounding the workshops and is contrary to the directive of R.C. 4905.70. A directive which is not discretionary.

Dominion's programs, specifically, their low-income programs, are more needed now than ever with inflation rising and low-income Ohioans having their monthly budgets stretched to the breaking point. Given the rising costs of materials and the potential for more Ohioans to require assistance as inflation rises, failure to support the proposed increase is unjust, unreasonable, and in contravention of R.C. 4905.70. Finally, Staff acknowledged that Dominion's proposal, if approved, will not violate the law or policies of the state in the outset of its recommendation. Staff Report at 3. Therefore, Dominion's proposal should be approved.

Respectfully submitted,

/s/ Robert Dove

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CERTIFICATE OF SERVICE

I certify that this filing was filed electronically through the Docketing Information System of the Public Utilities Commission of Ohio on April 28, 2022. The PUCO's e-filing system will electronically serve notice of the filing of this document on the parties subscribed to these proceedings. Additionally, notice was provided to the parties listed below.

/s/ Robert Dove
Robert Dove

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Case No(s). 21-1109-GA-ALT

Summary: Objection to the Staff Report electronically filed by Mr. Robert Dove on
behalf of Ohio Partners for Affordable Energy