

THE PUBLIC UTILITIES COMMISSION OF OHIO

IN THE MATTER OF THE APPLICATION
OF THE OHIO DEPARTMENT OF
DEVELOPMENT FOR AN ORDER
APPROVING ADJUSTMENTS TO THE
UNIVERSAL SERVICE FUND RIDER OF
JURISDICTIONAL OHIO ELECTRIC
DISTRIBUTION UTILITIES.

CASE No. 22-556-EL-USF

ENTRY

Entered in the Journal on June 6, 2022

{¶ 1} On May 27, 2022, the Ohio Department of Development (ODOD)¹ filed a notice of intent (NOI) to file an application to adjust the Universal Service Fund (USF) riders of all Ohio jurisdictional electric distribution utilities, namely, AES Ohio, formerly known as Dayton Power & Light Company (AES Ohio), Cleveland Electric Illuminating Company (CEI), Duke Energy Ohio Inc. (Duke), Ohio Edison Company (OE), Ohio Power Company (AEP Ohio), and Toledo Edison Company (TE) (collectively, EDUs) in accordance with R.C. 4928.52.

{¶ 2} Each entity, AEP Ohio, AES Ohio, CEI, Duke, OE, and TE, is an electric distribution utility, as defined in R.C. 4298.01(A)(6), and a public utility, as defined in R.C. 4905.02, and, as such, is subject to the jurisdiction of this Commission. Accordingly, the above noted EDUs should be joined as indispensable parties to this proceeding.

¹ The Ohio Department of Development was also formerly known as Ohio Development Services Agency (ODSA).

{¶ 3} The Commission approved the current USF rider rates for each of the EDUs to be effective, on a bills-rendered basis, beginning with the January 2022 billing cycle as set forth below:

Electric Utility	First 833,000 Kwh	Above 833,000 Kwahu
AEP Ohio	\$ 0.0024127	\$ 0.0001756 ²
AES Ohio	\$ 0.0007223	\$ 0.0005700
Duke	\$ 0.0006075	\$ 0.0004690
CEI	\$ 0.0015450	\$ 0.0005680
OE	\$ 0.0022477	\$ 0.0010461
TE	\$ 0.0021160	\$ 0.0005610

In re ODOD, Case No. 21-659-EL-USF (2021 USF Case), Opinion and Order (Dec. 15, 2021) at 14-15.

{¶ 4} R.C. 4928.52(B) provides that if, during or after the five-year market development period, ODOD, after consultation with the Public Benefits Advisory Board, determines that revenues in the USF and revenues from federal or other sources of funding for those programs will be insufficient to cover the administrative costs of the low-income customer assistance programs and the consumer education program and provide adequate funding for those programs, ODOD shall file a petition with the Commission for an increase in the USF riders. The Commission, after reasonable notice and opportunity for hearing, may adjust the USF riders by the minimum amount necessary to provide additional revenues.

{¶ 5} In the 2021 USF Case, the Commission approved the Joint Stipulation and Recommendation (2021 Adjustment Stipulation) executed by ODOD, Duke, IEU-Ohio, AES Ohio, and AEP Ohio. Other parties to the 2021 USF Case, the Staff, Ohio Consumers'

² The AEP Ohio USF rider rate for usage greater than 833,000 kWh was determined by averaging the rate for the former Columbus Southern Power rate zone and Ohio Power's 1999 rates of \$0.0001830 and \$0.0001681, respectively.

Counsel, Ohio Energy Group, CEI, OE, and TE did not oppose the 2021 Adjustment Stipulation. The 2021 Adjustment Stipulation provided, among other things, that ODOD would file an NOI to apply for the annual USF rider adjustment by no later than May 31, 2022. Consistent with the 2021 Adjustment Stipulation, as part of the NOI, ODOD agreed to state the proposed methodology for determining the USF adjustment, in order to allow parties the opportunity to pursue issues that they may wish to raise.

{¶ 6} Further, in compliance with the terms of the 2021 Adjustment Stipulation, ODOD filed the NOI requesting that each of the USF riders be adjusted to more accurately reflect the current costs of operating the Percentage of Income Payment Plan Plus program, the Electric Partnership Program, including consumer education, and associated administrative costs. According to its NOI, ODOD plans to employ a USF rider revenue requirement and rate design methodologies significantly similar to that approved by the Commission in the *2021 USF Case* and prior USF proceedings since 2011. As in previous USF applications, ODOD proposes to incorporate a two-step declining block rate design.

{¶ 7} To facilitate the review of the NOI, and consistent with the approved 2020 Adjustment Stipulation, the following procedural schedule should be established:

File objections or comments	July 6, 2022
File motions to intervene	July 6, 2022
File Replies to objections and comments	July 15, 2022
Discovery completion	July 22, 2022
File Direct Testimony	July 29, 2022
File Reply Testimony	August 5, 2022
Prehearing conference	Upon request of any party, August 10, 2022
Evidentiary Hearing	August 16, 2022
File Post-Hearing Briefs	August 26 2022
File Reply Briefs	September 2, 2022

{¶ 8} Upon the request of one or more of the parties, this matter will be set for a prehearing conference, on August 10, 2022, at 10:00 a.m., in Hearing Room C, 11th floor, at the offices of the Commission, 180 East Broad Street, Columbus, Ohio 43215. The purpose of the prehearing conference would be to permit the parties to discuss any issues they may have concerning the proposed revenue requirement and rate design methodologies.

{¶ 9} This matter will also be scheduled for an evidentiary hearing on August 16, 2022, at 10:00 a.m., in Hearing Room C, 11th floor, at the offices of the Commission, 180 East Broad Street, Columbus, Ohio 43215.

{¶ 10} To participate in the prehearing conference and/or the hearing, parties should register at the lobby desk and then proceed to the 11th floor.

{¶ 11} It is, therefore,

{¶ 12} ORDERED, That all Ohio jurisdictional EDUs be joined as indispensable parties to this proceeding. It is, further,

{¶ 13} ORDERED, That motions to intervene be filed on or before July 6, 2022. It is, further,

{¶ 14} ORDERED, That any objections or comments regarding ODOD's proposed revenue and rate design methodologies be filed with the Commission on or before July 6, 2022, and reply comments be filed on or before July 15, 2022. It is, further,

{¶ 15} ORDERED, That the parties adhere to the procedural schedule as set forth in Paragraph 7. It is, further,

{¶ 16} ORDERED, That the evidentiary hearing commence as set forth in Paragraph 9. It is, further,

{¶ 17} ORDERED, That a copy of this Entry be served on all parties of record in this case, as well as all parties of record in Case No. 21-659-EL-USF.

THE PUBLIC UTILITIES COMMISSION OF OHIO

s/Greta See

By: Greta See
Attorney Examiner

JRJ/hac

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

Case No(s). 22-0556-EL-USF

Summary: Attorney Examiner Entry ordering that all Ohio jurisdictional EDUs be joined as indispensable parties to this proceeding; that motions to intervene be filed on or before July 6, 2022; that any objections or comments regarding ODOD's proposed revenue and rate design methodologies be filed with the Commission on or before July 6, 2022, and reply comments be filed on or before July 15, 2022; that the parties adhere to the procedural schedule as set forth herein; and, that this matter will also be scheduled for an evidentiary hearing on August 16, 2022, at 10:00 a.m., in Hearing Room C, 11th floor, at the offices of the Commission, 180 East Broad Street, Columbus, Ohio 43215 electronically filed by Heather A. Chilcote on behalf of Greta See, Attorney Examiner, Public Utilities Commission