

**BEFORE
THE PUBLIC UTILITIES COMMISSION OF OHIO**

In the Matter of the Certification of)
Northeast Ohio Public Energy Council as) Case No. 00-2317-EL-GAG
Governmental Aggregator.)

NOTICE OF MATERIAL CHANGE TO BUSINESS OPERATIONS

Northeast Ohio Public Energy Council (“NOPEC”) is a non-profit, regional council of governments under R.C. Chapter 167, comprised of 242 member communities. It was first certified by the PUCO as a governmental aggregator and, thus, a competitive retail electric service (“CRES”) provider¹ on January 5, 2001. Its certificate most recently was renewed on January 15, 2021. As stated in its Plan of Operation and Governance,² NOPEC was formed to protect the interests of its member communities’ and their residents’ in the competitive electric marketplace, with the goal to provide the best available electric prices. To this end, NOPEC provides governmental aggregation services to retail electric customers located in three Ohio electric distribution utilities’ service territories: The Cleveland Electric Illuminating Company, Ohio Edison Company, and Ohio Power Company (collectively referred to as the “EDUs”).

By an anniversary opt-out letter filed in this docket on November 1, 2019, NOPEC notified the PUCO of its current three-year aggregation program, which began in January 2020 and ends in January 2023. The aggregation program provides NOPEC’s customers with a choice of variable-

¹ See O.A.C. 4901:1-21-01(H) and (P).

² See R.C. 4928.20(C).

priced³ and fixed-term products, which are made available by NOPEC's chosen electric supplier, NextEra Energy Services Ohio, LLC ("NextEra"). Eligible customers were notified of the program's term, choice of products, and pricing by opt-out notices issued in compliance with O.A.C. 4901:1-21-17.

On November 23, 2020, NOPEC filed its most recent renewal certificate application, which confirmed the terms of its current three-year aggregation program, including the availability of the Standard Program Price products until the January 2023 Meter Read Cycle.⁴ Unfortunately, electric prices have spiked in 2022 for reasons beyond NOPEC's, NextEra's and the PUCO's control. Prices are likely to remain at current levels throughout the aggregation program's current term, and could move even higher in 2023. The spike in market prices will significantly increase NOPEC's Standard Program Price customers' electricity costs for the remainder of the aggregation program. Consistent with its mission to protect customers' interests in the electricity marketplace, and to prevent them from experiencing drastic electricity price increases in these inflationary times, NOPEC will immediately be returning its Standard Program Price customers to the EDUs' standard service offers ("SSO").

NOPEC plans to resume its aggregation program when NOPEC's costs are expected to align considerably more closely with then-effective SSO prices.

O.A.C. 4901:1-24-11(A) requires a CRES provider to inform the PUCO of any material change to the information supplied in a certification renewal application or material changes in the CRES provider's business operations. NOPEC's return of Standard Program Price customers to

³ The variable-price products include the Standard Program Price and the Monthly Variable Price ("MVP"). The Standard Program Price is a variable rate that can change from month to month. The MVP is a set percentage off of the electric utility's price to compare.

⁴ See NOPEC's November 23, 2020 Renewal Application at Exhibit A-4.

the SSO prior to end of the three-year term stated in the renewal application is such a material change. Specifically, NOPEC intends to return Standard Program Price customers to the EDUs on customers' next meter read dates during the month of September, provided that the applicable EDUs are willing and able to facilitate all customer transfers to SSO without delay and/or daily customer volume limitations. NOPEC will not be returning fixed-term or MVP customers to the SSO. NOPEC has been coordinating with the EDUs to ensure Standard Program Price customers' smooth transition to the SSO. And NOPEC will provide affected customers the attached written notice explaining the reasons for their transition to reduce potential customer confusion.

NOPEC submits that no hearing is required under O.A.C. 4901:1-21-11(A)(2) because this material change will not adversely affect its customers or its fitness to provide service. In fact, NOPEC's return of Standard Program Price customers to the SSO is being done solely for the benefit of its customers – to protect them from significant price increases in the current volatile energy markets and provide them access to lower cost electricity.

Wherefore, NOPEC respectfully requests the PUCO to take notice of this change in business operations.

Respectfully submitted,



Dane Stinson (0019101)
Devin D. Parram (0082507)
BRICKER & ECKLER LLP
100 South Third Street
Columbus, Ohio 43215-4291
Telephone (Stinson): (614) 227-4854
Telephone (Parram): (614) 227-8813
Facsimile: (614) 227-2390
Email: dstinson@bricker.com
Email: dparram@bricker.com

Glenn S. Krassen (0007610)
General Counsel
NORTHEAST OHIO PUBLIC ENERGY COUNCIL
31360 Solon Road, Suite 33
Solon, Ohio 44139
Telephone: (440) 249-7831
Facsimile: (440) 248-1986
E-mail: gkrassen@nopec.org

Attorneys for Northeast Ohio Public Energy Council

CERTIFICATE OF SERVICE

It is hereby certified that a true copy of the foregoing *Notice of Material Change to Business Operations* was served upon the persons listed below by electronic transmission this 24th day of August 2022.



Dane Stinson

Steven T. Nourse
AEP Service Corporation
1 Riverside Plaza
Columbus, Ohio 43215
stnourse@aep.com

Brian Knipe
FirstEnergy Corp.
76 South Main Street.
Akron, OH 44308
bknipe@firstenergycorp.com

Larry Sauer
Office of the Ohio Consumers' Counsel
65 East State Street
Suite 700
Columbus, Ohio 43215
Larry.Sauer@occ.ohio.gov



MONTH DAY, YEAR

CUSTOMER NAME
MAILING ADDRESS LINE 1
CITY, STATE ZIP CODE

Account Number:

Dear CUSTOMER NAME,

This letter is to inform you that your electric supplier is changing.

Your community is a member of NOPEC (Northeast Ohio Public Energy Council) and you are currently enrolled in NOPEC's governmental electric aggregation Standard Program Price until January 2023. As you may be aware, for reasons beyond NOPEC's control, the market price of electricity has spiked dramatically in 2022 and increases could continue into 2023.

NOPEC was formed to protect your interests in the energy marketplace and believes that you will pay a lower price if you temporarily receive electricity through your electric utility during the next several months. As such, NOPEC is returning your account to the electric utility beginning with your next meter read, which may take one to two billing cycles. There is no action required by you and as a reminder you will not be charged a fee from NOPEC to make this change.

We value you as a NOPEC customer. NOPEC plans to resume its electric aggregation program in the spring of 2023. We look forward to serving you again at that time.

If you have any questions regarding this transition, please visit the NOPEC website at www.nopec.org/return or contact NOPEC's Customer Care Center at 855-667-3201.

Sincerely,

A handwritten signature in blue ink that reads "Charles W. Keiper III".

Charles W. Keiper, III
Executive Director, NOPEC

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

8/24/2022 1:41:51 PM

in

Case No(s). 00-2317-EL-GAG

Summary: Notice of Material Change to Business Operations electronically filed by
Teresa Orahood on behalf of Dane Stinson